

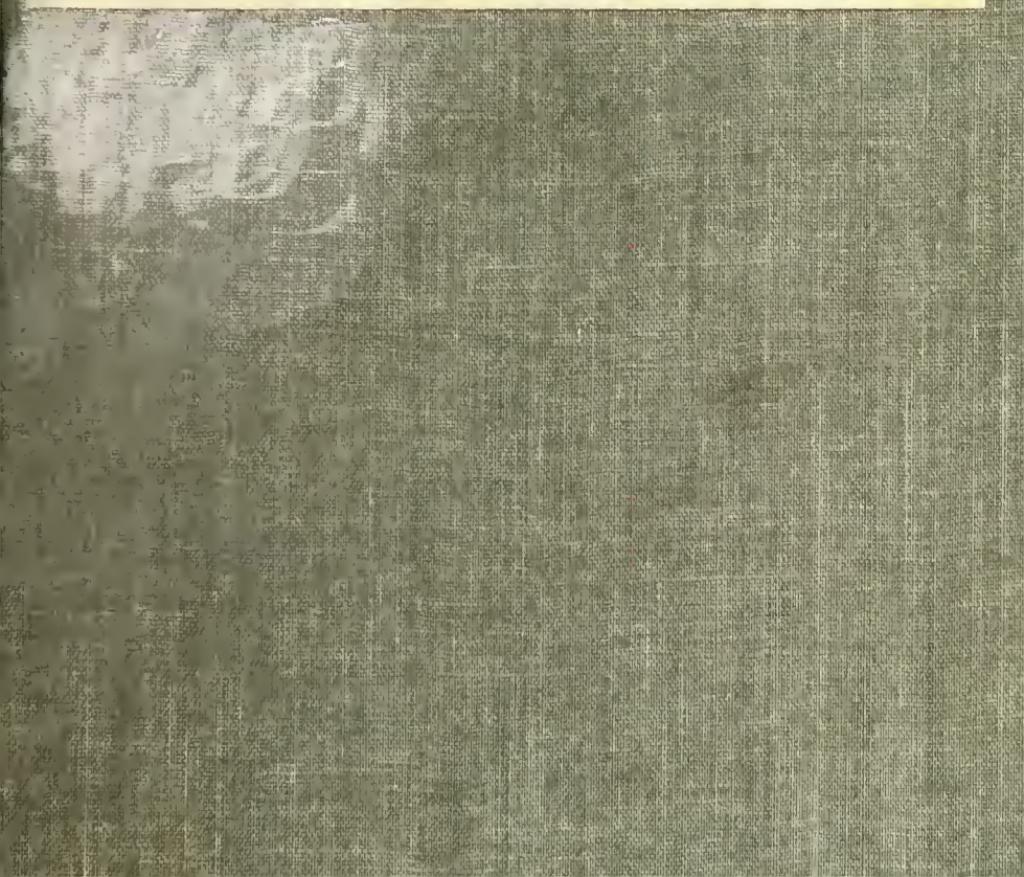
The Belgian People's War

A VIOLATION OF INTERNATIONAL LAW



TRANSLATIONS FROM THE
OFFICIAL GERMAN WHITE BOOK

PUBLISHED BY THE IMPERIAL FOREIGN OFFICE



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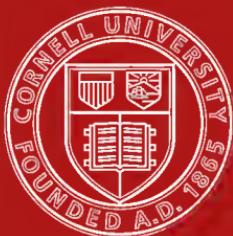
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Belgian people's war.



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ЗАПЕЧАЛЬНОСТАМ

PREFATORY NOTE TO THE ENGLISH EDITION

In laying an English translation of the German White-Book on the franc-tireur war in Belgium before the public it should be pointed out—as may also be seen from the numbering of the annexes—that the English version is not a complete rendering of the German original. Of the annexes, which contain over two hundred and twenty affidavits and reports, only about one-third have been included, so as to save the reader a wearisome repetition of numerous similar incidents and to give him, with less labor to himself, an approximate idea of the kind of actions indulged in by the Belgian civilian population.

The German original is open for inspection at the Imperial German Embassy and the Imperial German Consulates in this country.

New York, July, 1915.

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Memorial

Immediately after the outbreak of the war in Belgium a savage fight was started by the Belgian civilians against the German troops, a fight which was a flagrant violation of international law and had the gravest consequences for Belgium and her people.

That fight of a population which was governed by savage passion raged throughout Belgium during the whole advance of the German army. When after obstinate fights the Belgian army receded before the German troops, the Belgium civilian population endeavored not only by all possible means to halt the German advance in those parts of the country which were still unoccupied, but even in places which had long been occupied by German troops the Belgian civilians did not shrink from damaging and weakening the German host by cowardly and treacherous attacks.

The extent of this armed resistance of the population may be seen from the appended geographical sketch (Annex 1) in which the German routes of advance and the Belgian places, in which the fighting of the population has been raging, have in the main been indicated. Overwhelming evidence has been collected which proves that on these marching routes and at these places the Belgian civilian population of every class, age and sex took part in the fighting against the German troops with the greatest bitterness and fury. This evidence is based on official statements, most of them made under oath, and on official reports; a selection of it is given in the appendix, which however comprises only the more important events and which can at any time be amplified by further evidence.

According to this evidence the Belgian civilian population has fought against the German troops at many places in the provinces of Liège, Luxembourg, Namur, Hainault, Brabant, East and West Flanders. The fights at Aerschot, Andenne, Dinant and Louvain assumed a particularly terrible character. About these, special reports have been drawn up by the Military Bureau for the Investigation of Offenses against the Laws of War established in the army department (see annexes A, B, C, D). In these fights men of the most varied classes: workmen, manufacturers, doctors, teachers, even clergymen, nay, women and children were caught with arms in hand. (Annexes 18, 25, 47; A 5; C 18, 42, 56, 63; D 1, 34, 37, 38, 45, 48). In districts from which the regular Belgian troops had long withdrawn shots were fired on the German troops from houses and gardens, roofs and cellars, fields and woods. In those fights means were used which no regular

troops would have employed. Thus large quantities of sporting rifles and ammunition, obsolete pistols and revolvers were found, (Annexes 6, 11, 37; A 2; C 52; D 1, 2, 37), and numerous, in consequence, were the wounds by small shot and also by burning with hot tar and boiling water. (Annexes B 2, C 5, D 25.) From all this it is evident that the war of the people in Belgium was not only waged by individual civilians, but by large masses of the population.

The warfare of the Belgian civilian population was in complete violation of the universally recognized rules of international law, as expressed in the Hague Regulations respecting the Laws and Customs of War on Land, which have also been accepted by Belgium. These rules distinguish between an organized and an unorganized people's war. In the organized people's war (Art. 1) the militia and the volunteer-corps, in order to be recognized as belligerents, have to conform with the following four conditions: they must have responsible leaders at their head, they must wear a certain distinctive emblem recognizable at a distance, they must carry their arms openly and they must observe the laws and customs of war. The unorganized people's war (Art. 2) is free from the first two conditions, that is to say the responsible leaders and the military emblems, but is on the other hand, bound to two other conditions: it may only be waged in the territory not yet occupied by the enemy and there must have been lack of time to organize the people's war.

The two special conditions established for the organized people's war were doubtlessly not fulfilled by the Belgian franc-tireurs. For according to the consensus of reports from the German military commands the civilians who were found fighting had no responsible leaders at their head, nor did they wear any kind of distinctive emblems. (Annexes 6, C 4, 5, 15; D.) The Belgian franc-tireurs may therefore not be regarded as organized militia or volunteer-corps as understood by the laws of war, this notwithstanding the fact that apparently also Belgian military persons and members of the "Garde civique" took part in their undertakings. For as these persons likewise did not wear any distinctive emblems but, in civilian clothes, mingled with the fighting citizens, (Annexes 6; A 3; D 1, 30, 45, 46) the rights of belligerents can be accorded to them as little as to the civilians.

It results that the entire Belgian people's war can only be viewed as an unorganized armed resistance of the civilian population. As such is only allowed in unoccupied territory it doubtless was in violation, for this reason alone, of the law of nations in all those places which were already in possession of the German troops, more particularly in Aerschot, Andenne and Louvain. But also in places not yet occupied by the German troops, especially in Dinant and its environments, was the people's war not allowable, because the Belgian Government had had sufficient time for organizing the people's war in accordance with international law. The

Belgian Government since years has counted on being drawn into the war-like events in case of a Franco-German war; the preparations for its mobilization can be proven to have set in at least a week before the invasion of the German army. The Government was, therefore, perfectly in a position to supply the civilian population, as far as their employment in possible fighting was intended, with military emblems and to appoint responsible leaders for them. The Belgian Government in a communication addressed to the German Government through the medium of a Neutral Power has asserted that it had taken corresponding measures. In stating this the Belgian Government only proves that it could have fulfilled the above-mentioned conditions; but such measures were, at any rate, not put into practice in the territories passed by the German troops.

Not only were, thus, the premises lacking which are provided by international law also for the unorganized people's war, but this war was also conducted in a manner which alone would have sufficed to place its participants outside the laws of war. For the Belgian franc-tireurs made it a rule not to carry their weapons openly, nor did they respect any of the laws and customs of war.

Irrefutable evidence proves that in a large number of cases the German troops at their entry were received with a semblance of friendliness by the Belgian civilian population, only to be attacked with arms at nightfall or at other opportune moments. Such cases particularly happened at Blegny, Esneux, Grand Rosière, Bièvre, Gouvy, Villers-devant-Orval, Sainte-Marie, Les Bulles, Yschippe, Acoz, Aerschot, Andenne and Louvain. All of these attacks evidently violate the provision of international law that arms should be carried openly.

But what the Belgian civilians are especially to be charged with is the unheard-of violation of the customs of war. In different places, e. g., near Liège, Herve and Brussels, in Aerschot, Dinant and Louvain, German soldiers have been foully assassinated (Annexes 18, 55, 61, 65, 66; A 1; C 56, 67, 73, 74, 78), although Article 23, section 1 b, of the Hague Regulations of Warfare on Land forbids to "kill or wound treacherously individuals belonging to the hostile nation or army." Moreover, the Belgian population has disregarded the sign of the Red Cross, and thus offended against Article 9 of the Geneva Convention of July 6, 1906. Thus, Belgian civilians did not shrink from shooting under cover of this sign at the German troops and from attacking hospitals with wounded soldiers and the sanitary staff, while in the execution of their duty. (Annexes 4; C 9, 17, 18, 32, 56, 66, 67.) Finally it has been established beyond doubt that Belgian civilians plundered, killed and even shockingly mutilated German wounded soldiers, in which atrocities even women and children took part. Thus the eyes were gouged out of the German wounded soldiers, their ears, noses, finger-joints were cut off, or they were emasculated or disemboweled. (Annexes

54 to 66; C 73, 78; D 35, 37.) In other cases, German soldiers were poisoned or strung up on trees; hot liquid was poured over them, or they were otherwise burned so that they died under terrible tortures. (Annexes 50, 55, 63; C 56, 59, 61, 67, 74, 78.) All these bestialities of the Belgian population are an outrage not only to the express obligation "to respect and care" for the sick and wounded of the enemy (Article 1, Section 1 of the Geneva Convention) but also to the primary principles of the laws of war and humanity.

Under these circumstances the Belgian civilian population, which took part in the fight can, as a matter of course, lay no claim to a treatment such as is due to belligerents. It was, on the contrary, absolutely necessary in the interest of the self-preservation of the German army to take the severest measures against these franc-tireurs. Therefore, persons who by fighting opposed the German troops had to be killed, prisoners could not be treated as prisoners of war in accordance with the laws of war, but only as assassins in accordance with the customs of war. In all this, however, the formalities of jurisdiction were observed as far as military necessity permitted; the prisoners, whenever circumstances allowed of such a course, were shot only after due examination or after adjudication by a court martial. (Annexes 37, 38, 40, 43, 48.) Old men, women and children, even when under grave suspicion, were spared to the largest possible degree; more than that: the German soldiers, although their patience was put to a most severe test by the treacherous attacks, often cared for such persons in a manner which can only be termed as self-sacrificing, taking helpless persons who were in peril under their protection, sharing their bread with them or giving the weak and sick in charge.

There can be no doubt that it is to a great extent the fault of the Belgian Government that the Belgian population conducted itself towards the German army against all international law. For leaving aside that a government is under all circumstances answerable for such acts as represent the general expression of the people's will, the Belgian Government has at least to bear the grave reproach that, although it could have prevented that franc-tireur war, it did not do so. (Annexes 33, 51; D 42, 43, 48.) It would certainly have been an easy matter for the government to give the requisite instructions to its organs such as mayors, soldiers and the "garde civique" in order to restrain the passionate excitement which had been artificially stirred up among the people. Therefore, the Belgian Government alone is responsible for Belgium's fearful guilt of blood.

The Belgian Government has tried to evade this responsibility by putting the blame for the things that happened on the German troops whose lust of destruction is said to have made them commit violence without any provocation. The Belgian Government has appointed a commission for the investigation of the atrocities, alleged to have been committed by the German

troops and it has made the findings of this commission a matter of diplomatic protests. This attempt to pervert the facts into their reverse has failed entirely. The German army is accustomed to warfare only against hostile armies but not against peaceful inhabitants. That from the beginning of their entry into Belgium the German troops were forced by the native population into a defensive fight in the interest of self-preservation, this irrefutable fact cannot be put out of the world by any investigation of whatever commission.

The tales of refugees compiled by the Belgian Commission which are represented as the result of strictly impartial investigations, bear the stamp of untrustworthiness, if not of malicious distortion, on their face. Considering the circumstances, the commission cannot possibly test the correctness of rumors reported to them, or see the interrelation of the various happenings. Hence their accusations of the German army are nothing else but base defamations which are easily disproved by the documentary evidence appended.

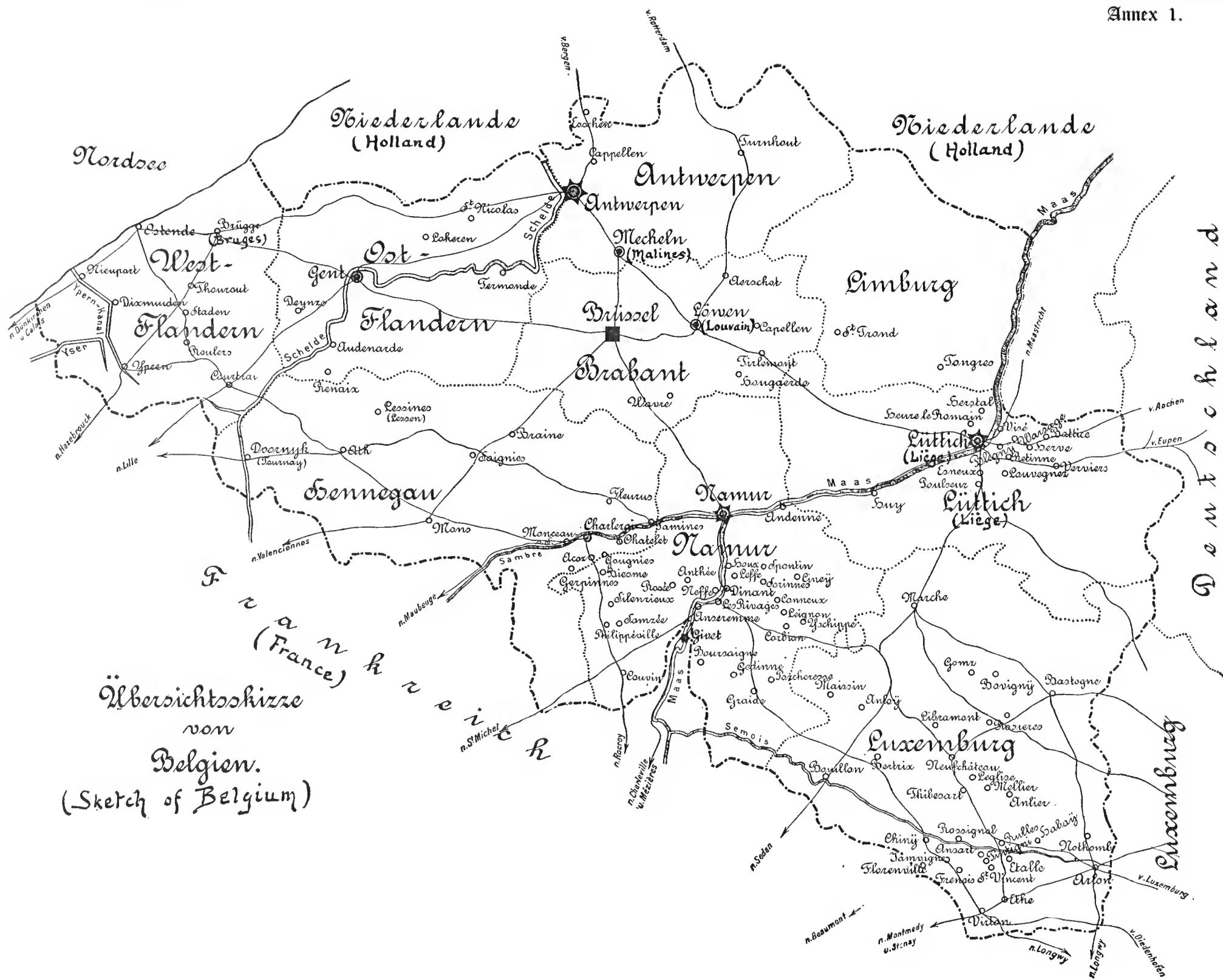
At Aerschot the fight of the German troops with the Belgian civilians did not arise, as the English insinuate, through an outrage committed by German officers on the honor of the Mayor's family, but was the result of a premeditated attack in which the Aerschot population treacherously murdered the German chief-in-command (Annex A). Again it was not harmless peaceful citizens who succumbed to German arms at Dinant, but assassins who treacherously attacked German soldiers and thus caused the troops to take up a fight which was disastrous for Dinant (Annex C). In Louvain the fight with the civilian population did not arise from fugitive German troops attacking in mistake their comrades when entering the town; but it arose because a deluded population who could not properly gauge events thought they could without danger do away with German troops that were retreating to Louvain (Annex D). Those troops set fire to Louvain, as they did to other Belgian towns, only where dire necessity demanded it. The sketch showing the destruction of Louvain (Annex D 50), plainly demonstrates that the German troops confined themselves to the destruction of those quarters where the civilians offered treacherous and murderous resistance. It was even owing to German troops that the treasurers of art, not only in Louvain but also in other Belgian towns, were rescued as far as rescue was possible. A special German Commission has established the fact that German troops extensively protected works of art in Belgium.

The Imperial German Government is of opinion that the evidence published in the appendix proves convincingly that the actions of the German troops against the civilian population were provoked by the franc-tireur war which was a violation of international law, and that

they were justified by military necessity. On the other hand the Imperial German Government protests solemnly and emphatically against the dishonest fight which a civilian population waged against German soldiers with the most reprehensible means, and even more against the attitude of the Belgian Government which after the utter neglect of its duties, shown in its indulgence of the wild passions of the population, now is shameless enough to belie and defame the German army, in order to exonerate itself from its own heavy guilt.

BERLIN, May 10, 1915.

Übersichtsskizze
von
Belgien.
(Sketch of Belgium)



**Military Court Examination of Dr. Rehm, Army Surgeon of Reserve
of the 111th Battalion of Infantry, Regiment No. 165.**

COURT OF THE SEVENTH INFANTRY DIVISION.

Cherisy, November 23, 1914.

Present: Military Court Councillor Dr. Welt.

Military Court Secretary Lorenz, as Clerk of the Court.

Army Surgeon of the Reserve, Dr. Rehm, of the III Battalion of Infantry Regiment No. 165 appeared as witness and made the following deposition:

On August 6, 1914, I established at Retinne a dressing station for the troops, which was extensively used. It was plainly distinguishable through the display of the Red Cross flag, and the whole arrangements would not have left any doubt as to its identity. In close proximity no fighting took place, our troops having already advanced towards Bellaire. Despite this, our station was continually shot upon; shots fell the whole day long, coming mostly from the surrounding houses, and usually from the roofs. The shots which fell into the dressing station could have been fired only by civilians as there were no hostile troops in the village. As it was not possible for me for the time being to obtain troops for the protection of the station, I armed all the lightly wounded, and ordered the hostile fire answered, at first, with small success, because the well-covered adversaries could not be seen. When in the evening bodies of troops arrived in Retinne, and were also fired upon, the houses were systematically searched. Dozens of men were dragged forth from some of the houses; curiously enough only a few women and no children were found in the houses, so that I gained the impression that the attack had been planned. The men which were dragged out of the houses were exclusively civilians, of all ages.

Read, approved, signed.

(Signed) Army Surgeon, Dr. Rehm.
Attested.

(Signed) Dr. Welt.

(Signed) Lorenz.

Military Court Examination of Non-Commissioned Officer Rasch of Reserve in the Reserve of Infantry Regiment No. 74.

Hanover, November 20, 1914.

Present: Military Court Councillor Lindenbergs.
Military Court Secretary Lühe.

The dentist Rasch, non-commissioned officer of reserve of the reserve battalion of the Infantry Regiment No. 74 appeared as witness and made the following deposition:

My name is Gustav Rasch, I am twenty-nine years old and a Lutheran.

When the Mobile Infantry Regiment No. 74 was advancing upon Liège in August, 1914, I was ordered to remain behind with a part of the 9th company to protect the baggage which was stationed on the Market Square in Poulseur. A number of other infantry men and hussars were also left behind as guards. Of the officers personally known to me Lieutenant of the artillery reserves Hillebrandt, of Hanover, was present. After the regiment had departed from Poulseur in the direction of Liège, and night had fallen, the baggage and the guards present were suddenly fired upon from all the surrounding houses. The attack was evidently well-planned and previously conceived, because just previous to the firing all the lights in the surrounding houses were extinguished, and the fire set in simultaneously from all sides. At first we did not know what had happened. But the firing out of the houses was not all; dynamite and other high explosive bombs were thrown at us, which presumably had been obtained from a mine near Poulseur.

The firing continued intermittently throughout the night. We, of course, replied and sought shelter behind the baggage wagons as best we could. But despite this we had dead and wounded; among them a Lieutenant of reserve of a Hussar-Regiment, whom we took to the inn of a German. I myself participated with the men in the storming of several houses; those who opposed us in them with arms in hand were shot. The occupants of those houses in which arms and ammunition were found were taken to the market square. I am able to state with authority that all persons who offered us resistance or who were brought to the market square were not in uniforms. They were civilians without exception. On the following morning, as we were proceeding with the baggage to the

outskirts of the town, strong explosions were heard in the town, which indicated the presence of thousands of cartridges. Some men said that the large quantities of cartridges were exploding which had been found by them in the Mayor's residence. Also when the baggage of the 74th regiment passed back through Poulseur on the following day in the direction from Liège, we were again fired upon.

Read, approved, signed.

(Signed) Rasch.

Witness was sworn.

Attested:

(Signed) Lindenberg.

(Signed) Lühe.

ANNEX 11

Report Made to the Fifth Cavalry Division by Von Wentzky, Commander of the Eleventh Cavalry Brigade.

On August 10, Dragoon Regiment No. 8 arrived in Grande-Rossière ($2\frac{1}{2}$ kilometers N. W. of Nives) where for the first time it went into bivouac in a Belgian place, i. e., the four squadrons of the regiment camped in two groups just outside of the village. The staff of the 11th Cavalry Brigade took quarters in a house. The occupants were two elderly women and a young man, who received us with especially courteous manner and readily provided us with food. It struck us that a number of young men came into the house in the course of the evening, stayed a short time and then disappeared again. The young man who belonged to the house also disappeared.

Toward 11 o'clock that evening I went in company with an orderly officer to the bivouac of the fourth and fifth squadron of Dragoon-Regiment No. 8, a distance of about 300 meters from my quarters. When I wanted to return from there about ten minutes later, I heard firing in various parts, during which the shots from the carbines of the sentries were clearly distinguishable from those fired from other arms. At that moment the Adjutant of Dragoon-Regiment No. 8 met me and reported he had just been fired upon at the entrance of his house; the fire came from an apparently vacant house situated across the street. I immediately called the fourth squadron to arms and ordered Lieutenant Baron von Richthofen of the fourth squadron to surround the house out of which the shots had been fired, and to arrest all people found within. Several minutes later more shots were heard. Lieutenant Baron von Richthofen received a shot in the abdomen and died the following morning. Two civilians armed with revolvers were brought out of the house. The

revolvers were found to have been fired shortly before. In addition cartridges, both spent and intact, were found on the prisoners. In the course of the night the bivouacs of Dragoon-Regiment No. 8 were repeatedly fired upon. Lieutenant von Nickisch reported, that a large quantity of revolvers, rifles and ammunition were found in the houses; powder and fuses were also found, especially in the house in which the staff of the 11 Cavalry Brigade had been quartered.

(Signed) von Wentzky,
Colonel and Brigade Commander.

ANNEX 18

Report of Infantry Regiment No. 23 "Von Winterfeldt" to the 24th Infantry Brigade.

October 4, 1914.

Captain Illgner reports: On August 22 in Léglise two civilians from Antier, who were met with firearms in their possession by two grenadiers, were delivered over to the company, which was engaged in protecting the baggage. During this time the company was repeatedly shot upon by civilians.

In Tintigny a reservist of Infantry Regiment No. 38 was found who had been slain by the inhabitants with a brick-axe. In Laheycourt a man of the I battalion shot and killed a civilian who shot from a garden upon the soldiers.

Captain von Debschitz reports: In our first quarters in Belgium in Nothomb, after the Commanding-general's proclamation had been announced, a great number of military rifles with ammunition were handed in by civilians which undoubtedly had been distributed only shortly before by the authorities for the purpose of franc-tireur warfare. So far as I know, they were Menier rifles, they had been freshly greased; the cartridges were packed in stamped linen-packages, exactly as if they had just been received from an army depot.

Lieutenant of the Reserves, Schmidt, in charge of the baggage of the regiment, reports: During the night from August 23-24 the baggage of regiment was repeatedly fired upon in Houdemont and Rulles while on the way from Habay to La Neuve-Ansart. In Houdemont the inhabitants shot from behind the windows and walls; thereupon several houses were burned. On leaving Houdemont the baggage had to pass through a cutting; small light signals were noticed from all sides, and suddenly the baggage was fired upon from the front, from behind and from both

sides. The projectiles pierced the planks of the wagon and the grain bags; we are still in possession of one of the bullets. One man is missing, two horses were wounded and had to be killed. The baggage was also fired upon in Rulles and behind Rulles from front and the right flank.

On August 24 franc-tireurs again fired from the houses upon the baggage on the road Ansart-Tintigny; two soldiers of the transport service were killed. On the evening of August 25 the baggage passed through the village of Villers devant Orval. The men were friendly received by the inhabitants, who gave fruit and food to them. After dark when the baggage halted about 1½ Km. behind the village, they were suddenly fired upon from behind.

(Signed) Count Keller.

ANNEX 25

Military Court Examination of Lieutenant Von Lindeiner-Wildau of Field Artillery Regiment No. 6.

Court of Field Artillery Regiment No. 6.

Transacted at Binarville, September 25, 1914.

Lieutenant von Lindeiner called von Wildau of Field Artillery Regiment No. 6 appears and, after having been informed of the object of the examination, declares as follows:

My first names are Hans Erdmann, I am thirty-one years old and a Lutheran.

About August 20 I was quartered at Thibesart together with the staff of the regiment, and was called in as interpreter at the examination of a forest warden by the name of Bienveler, on whom cartridges had been found the possession of which he had denied. The men who had arrested him produced several of the cartridges and I ascertained that some of them had been opened, and closed again by biting, a habit quite common among game wardens and foresters; from one of these cartridges which I opened the buck-shot had been removed and replaced by small hacked pieces of lead. This had evidently been done quite recently, for the cuts of the lead pieces were still bright. As I was told, several of our patrols had been fired upon on this and the preceding day from the forest around Thibesart, among them the patrol of Captain von Richthofen of the 11th Mounted Sharp-shooters, despite the fact that no hostile troops were in the vicinity.

During the skirmish at Rossignole-Tintigny on August 22, Colonel von Zglinicki and I rode into the village of Tintigny. Marching by our side were parts of the Grenadier Regiment No. 11; field kitchens were standing along the road. From one of the first houses on the left, a woman, standing in the door, called out to me something like: "Est-ce que nous sommes sûrs ici, monsieur?" (Are we safe here, sir?) Just as I was going to answer her, I got two shots, both missing their aim, from the same direction, and looking up, beheld two civilians in a window on the first story of the same house, who were opening a lively fire on the German troops, and evidently had also fired those shots at me. My horse took a few leaps ahead to the corner of a side street on the right. From that street I and the German troops, which got jammed there, were greeted by a lively fire from all the windows. Hostile soldiers were nowhere to be seen, whereas shooting civilians were standing in several windows. I believe also to be certain that I noticed a machine-gun, operated by civilians, in a window on the first floor of a house about twenty paces from where I was. I personally observed that a considerable number of our soldiers were injured by this fire. Obviously the whole thing was a carefully arranged plot, for the firing commenced simultaneously over the entire village after the first two shots had fallen.

I was subsequently sent back and on this occasion was again fired at from the houses of the next village to the north (Ansart or Marinsart) which are situated along the highway running from north to south. I ordered the men of the light ammunition column of the 42nd Field Artillery, which had stopped there, to batter down the locked doors of the houses, and in one of the houses from which shots had been fired, they found six or eight civilians, but neither soldiers nor women.

About an hour later I got instructions to lead the 2nd Detachment of Field Artillery Regiment No. 6 along the north side of the street running from east to west into a position west of the same village. I requested, and was given, infantry protection of the Company "Rode" of the 10th Grenadiers. While executing this order we were fired upon continuously from that direction although there were no French or Belgian soldiers left in that village. I observed the following:

At different places I saw bedding in the gardens; from this bedding, which was evidently put there for protection, we were fired upon.

At another place three persons in women's dress came towards us and disappeared behind a shrub. I called out: "Don't shoot, they are women." At the same moment we were fired at from that shrub.

At the end of the village two or three cows came towards us and

immediately two shots were also fired from the direction of the cows. We then saw that a man had come up behind one of the cows and fired at us. He was subsequently shot by one of our infantry men.

Read, approved, signed.

(Signed) Lindeiner called von Wildau.

(Signed) von Buttlar, Chief Lieutenant and Adjutant.

(Signed) von Zglinicki, Judge.

ANNEX 33

Report of Chief Surgeon-Major Esche of Field Hospital 7, No. 73, X Army Corps.

On August 24, toward six o'clock in the evening, inhabitants of Biesme fired from their houses upon a column of soldiers passing through the village. A detachment of about fifty men of Infantry Regiment No. 164, which guarded 216 prisoners in the garden of the castle, where field hospital No. 7 had been established, advanced to enforce order, while during their absence, the slightly wounded undertook to guard the prisoners. Sergeant Kortebain and two drivers attached to field hospital No. 7 named Schmidt and Dietrichs observed that firing was done out of two houses.

According to the testimony of the proprietors of castle Gougnies, in which the sanitary and other officials of the field hospital lived, Conseiller provincial (Provincial Councillor) Adelin Piret of Gougnies distributed among the inhabitants the arms which had been delivered at the City Hall. Military detachments passing through the village were fired upon.

Surgeon-in-Chief.

(Signed) Esche, Surgeon-Major.

ANNEX 37

Military Court Examination of Vice-Sergeant Schulze, First Class Private Spans and Grenadiers Wenzel, Kachel, Pfeifer, Witt- stadt and Wilhelmy, all of Infantry Regiment No. 3.

Berlin, September 18, 1914.

Vice Sergeant Schulze, of the ninth company, first class private Spans of the twelfth company, and grenadiers Wenzel of the fifth com-

pany, Kachel of the ninth company, Pfeifer and Wittstadt of the twelfth company and Wilhelmy of the fifth company of infantry regiment No. 93 appeared and made the following statements:

On August 24, 1914, we, together with Belgian and French wounded, were laid up in the monastery of Champion converted into a hospital. After the departure of our troops on the evening of August 24, only a light munition-column remained near us in the proximity of the monastery. There were no sentries stationed anywhere.

Toward ten o'clock in the evening a heavy rifle fire was suddenly started against the main entrances and the windows of the monastery. I, vice-sergeant-at-arms Schulze, was awakened by the shots, went to the main entrance and heard the bullets whizzing by. I then went back to get my arms. When I returned to the entrance, the light munition column had already gone into action. Previous to this, the Belgian physician who was present in the monastery, had from the courtyard called in Belgian to the shooters who did not show themselves, to cease their firing. Privates Wilhelmy and Wenzel had heard this. As soon as the doctor re-entered the monastery, however, the firing was resumed.

The light munition column thereupon cleared the courtyard and vicinity, captured several franc-tireurs, who were identified as shooters, searched the surrounding houses, and after establishing that shots had been fired out of them, set them afire as a punishment.

We should state that all the houses in the village were searched on August 25, and that several boxes of dynamite and munition were found in the parson's house. The dynamite was destroyed by the engineers of the munition column. The parson was kept under guard for two days by that column and then set free again.

Read, approved, signed.

(Signed) Schulze, Spans, Wenzel, Kachel, Pfeifer, Wittstadt, Wilhelmy.

Done as stated:

(Signed) Hilsmann, Lieutenant and Adjutant in the auxiliary battalion of the Infantry Regiment of Reserve No. 93.

Military Court Examination of Captain Caspari, of Infantry Regiment No. 75.

Baylle, December 11, 1914.

Present: Lieutenant Stürenberg-Jung as Court Officer.

Vice-Sergeant-at-Arms Bannehr, as Clerk of the Military Court.

Captain Caspari appeared as witness and deposed as follows:

As I drew near Hougaerde at the head of the third company of Infantry Regiment No. 75, to which I was assigned, a man in clerical habit approached us from the town. He saluted me and told me that there were no more Belgian soldiers in the place, that the population were friendly, and that we did not have to fear any attack from them. My request, however, to show us the way through Hougaerde, was visibly disagreeable to the man, but he acceded. The streets were empty when we marched into the town, the shutters and house-doors were locked and the window openings of a building under construction on the right hand side were covered up with bag cloth. Shortly before we reached a curve in the street, about 100-200 meters behind the railroad crossing, the clergyman jumped into a doorway. One of my men, musketier Ernst Block, barely caught him by the coat-tails and pulled him back. When we came to the curve we were confronted by a street barricade, 30-40 meters away, and received well-timed volleys from all sides out of the houses, even from the rear. The clergyman was hit by one of the first shots out of the houses and mortally wounded. As we later ascertained, the town had been systematically prepared for defense. Houses and walls had been provided with well-concealed loop-holes, and the population had been prepared for the attack to be made at a certain place. I could personally ascertain that civilians participated in this attack because I saw them, weapons in hand, fleeing through the gardens. Several of my men were wounded by small-shot.

Read, approved, signed.

(Signed) Caspari.

Witness was sworn.

(Signed) Stürenberg-Jung, Lieutenant and Court Officer.

(Signed) Bannehr, Military Court Clerk.

Court Examination of Gottfried Hilberath, Reservist, of Reserve Infantry Regiment No. 236.

ROYAL LOCAL COURT LANGENDREER.

October 31, 1914,
in the hospital at Werne.

Present: Local Judge Hidding.

Local court assistant Harries as clerk of the court.

Upon request of the head of the Werne Hospital the above named court commission went to said hospital for the purpose of examining a sick soldier.

They met the reservist, Gottfried Hilberath of Cologne, No. 60 Moselstrasse, who after being warned against perjury testified as follows:

My name is Gottfried Hilberath, hotel porter; born August 12, 1893 in Neuenahr, Catholic, reservist of Reserve-Infantry-Regiment No. 236, III Battalion, 12 company. Our regiment started out on September 13, 1914. From our drilling grounds at Wegmar we were transported by railway to Belgium.

During the middle of October, 1914, our regiment lay in the neighborhood of the Belgian village of Deynze, where we had to dig trenches. Over night we were quartered in the village. At sunrise we went back to the trenches.

On the evening of October 25th we brought the wounded to the field hospital established in a village. With ten to fifteen men we entered a house in Deynze, where light was burning and where a number of soldiers had already arrived before us. They were sitting in the parlor drinking coffee. The wife cooked coffee for the soldiers and also for us new arrivals. The husband was busy in his grocery store. All soldiers remained in the house over night.

On the same evening about eight of our men filled their flasks with the coffee which the woman had prepared. Some of them bought 10 centimes worth of sugar in the store in the evening. So did I, putting it into the flask like the others. The sugar was put up in small packages. I noticed on the paper a sticky substance looking like gum arabic. The sugar was in paper bags which were not stuck down and had apparently been filled by the store keeper.

The next day about ten minutes after I had drunk the coffee I became unconscious in the trench and must have stayed unconscious for about five hours. Two men of the brigade corps took me through

the village of Deynze to the field hospital at West-Roosebeck. Here I heard that also the other soldiers had been poisoned and that some of them had already died. What has happened to the store keeper and his wife I do not know.

Read, approved, signed.

(Signed) Gottfried Hilberath.

Witness, thereupon, after having been warned again against perjury, took the oath.

Closed.

(Signed) Hidding.

(Signed) Harries.

ANNEX 51

Court of the Government General of Belgium.

Brussels, December 14, 1914.

Present: Military court councillor Sager.

Military court assistant Duwe as Military court clerk.

Interpreter Füller of the Military court of the province of Brabant, once for all sworn in.

The merchant Heinrich Bloch of Brussels, No. 35 Rue de Marché appears and declares:

My name is as mentioned, age: 68; Religion: Hebrew; native of Baden.

Until August 20, 1914, six A. M. I was in Brussels. The Brussels papers had published the announcement that all weapons were to be delivered. On August 19, 1914, I sent my porter to the commissariat in Rue croisate to deliver a revolver. After a short time he came back and said verbally: "Il ne faut pas croire tout ce qu'on lit dans les journaux." (One must not believe everything which one reads in the newspapers.)

The publications were officially issued by the Mayor. I have no reason to believe that the commissary presumed we were Belgians.

The commissary who did not accept the revolver from my porter fell in Belgium; when and where I cannot say.

Read, approved, signed.

(Signed) H. Bloch.

Furthermore Jules Brontine, porter, thirty-eight years old, Catholic, Belgian citizen, appears as witness and declares:

I only can testify to what Mr. Bloch already has stated. He sent me on August 19th to the police in order to deliver his revolver. The police-commissary to whom I presented the weapon refused to take it saying: "One must not believe everything which one reads in the news-

papers." Thereupon I went away again with the revolver. I mentioned that it was the weapon of Mr. Bloch, who was personally known to the police-commissary to be a German. I presumed that the announcement in the newspapers referred to rifles and to sabres only.

Read in French, approved and signed.

(Signed) J. Brontine.

Brontine and Bloch, witnesses, were sworn according to law.

Closed.

(Signed) Säger.

(Signed) Duwe.

ANNEX 54

Examination of Reservist Richard Weisse of Fusilier Regiment No.

36.

DUCAL DISTRICT COURT

Blankenburg, (Harz), November 13, 1914.

Present: Chief District Judge Dr. Schilling, as Judge.

Chief Court Clerk Hornig, as Clerk of the Court.

There appears Richard Weisse, Reservist of Company 6, Fusilier Regiment No. 36, born March 29, 1890, at Hohenmoelsen, Weissenfels County, at present at the local reserve hospital.

The following statement was read to him which he had made on October 31, 1914 before First Lieutenant Reyner:

"During the first days of the month of August—it may also have been middle of August—I was with an officers' patrol near the Belgian border with instructions to occupy a bridge. Together with another Fusilier I was sent on a special errand and consequently separated from the patrol.

When returning across a meadow we noticed several civilians in a ditch near a group of houses. When we came nearer we saw a German soldier lie in the ditch both of whose eyes had been gouged out. We attacked the civilians and they fled into the houses nearby from which they opened fire on us. I cannot say what became of the mutilated man."

Witness thereupon declared: The statement is correct and I only wish to add that I did not actually see the three or four civilians who got scared when we came to the ditch where the mutilated soldier lay and ran into the houses nearby, gouge out the soldier's eyes; but that

they were the perpetrators I conclude from the fact that our wounded German comrade begged us: "Take me along, they have just gouged out both my eyes."

Thereupon witness was instructed in the meaning of the oath and duly sworn.

Read, approved, signed.

(Signed) Richard Weisse.

(Signed) Dr. Schilling.

(Signed) R. Hornig.

ANNEX 55

Military Court Examination of Reservists Gustav Voigt, Fritz Marks and Henry Hartmann, of Infantry Regiment No. 165.

Transacted at the Reserve Hospital at Quedlinburg.

Schilling, November 11, 1914.

Present: Military Court Councillor Keil.

Military Court Secretary Fahlberg.

At the Reserve Hospital of Schilling where the above mentioned court officers had proceeded, the following witnesses, duly instructed in the meaning of the oath, deposed as follows:

(1) Reservist Gustav Voigt.

My name is Gustav Voigt, my age twenty-four. I am a Lutheran and a Reservist of Company 6 of Infantry Regiment No. 165.

In the morning of August 7 I and seven other comrades became detached from our troop. We had to sneak through the gardens of a village closely beyond Herve in Belgium to look for cover. Suddenly we saw how five Belgian soldiers threw up their hands and wished to surrender. They hailed us and we approached them and noticed that they had two Germans with them (of the 10th Hussars) bound with ropes. One of the latter drew our attention to a third Hussar hanging up in a tree, dead. We saw that his ears and nose were cut off. The two Hussars also told us that the five Belgians had hanged and mutilated their comrade, and that the five Belgians had just been getting ready to kill or mutilate them, if we had not come up. We disarmed the Belgians, took them prisoners and delivered them to a troop of the 5th Uhlans who had already several captured Belgians with them. We joined the Uhlans to get back to our company, and, while passing through the village, were fired at from cellars and windows. I do not

know the name of the village, but it is situated between Herve and a big coal mine in the direction towards Liège. I myself was wounded in the street fighting at Liège.

On the day previous to that incident our company was engaged in a skirmish of outposts to the right of Herve; at that time a one-year-private of Company 5 of Infantry Regiment No. 165 was wounded and left where he fell. When we passed the spot the next morning we found body of that private at a garden fence; both his eyes had been gouged out. Everyone of us was convinced that villagers had done this.

On or about August 7th when we marched on Liège we saw a German Infantry-man—I think of Regiment No. 27; he showed no shot wound but was dead, having been completely emasculated.

Read, approved, signed.

(Signed) Gustav Voigt.

(2) Reservist Fritz Marks:

My name is Fritz Marks, my age twenty-three, I am a Protestant, by trade a factory-hand, and a Reservist of Company 2 of Infantry Regiment No. 165.

On August 25th our battalion marched through a village near Herve in Belgium. A man of the 5th company met us and exclaimed: "Such a dirty trick, now they have gouged out the eyes of one of our men." He pointed out where the man lay. We all had to pass the spot and there saw the dead man lie by the fence with both eyes gouged out. We were certain that villagers had done this. When on the next day we again passed through the village we were shot at from cellars and windows, and orders were given to disarm and arrest the villagers. We entered the houses and executed the order. But when the shooting continued all the same six guilty Belgian peasants were executed by order of an officer.

Read, approved, signed.

(Signed) Fritz Marks.

(3) Reservist Heinrich Hartmann:

My name is Friedrich Heinrich Hartmann, my age twenty-four, I am a Protestant, Reservist of Company 2 of Infantry Regiment No. 165.

I, too, saw the private of Company 5 with his eyes gouged out. The officer in charge of our company, Captain Burkholz, ordered us to search the houses of the village. In the house by the fence of which the body of the private had been found, we discovered a big strong middle-aged man who lay in bed and feigned sleep. We arrested him and led him before the officers who examined the man. He was then upon order shot by a musketier of Company 4.

While we marched on Liège we passed a German infantry-man who had been submerged, head down, in a bog and was dead.

Read, approved, signed.

(Signed) Heinrich Hartmann.

Witnesses were thereupon duly sworn.

Closed.

(Signed) Keil.

(Signed) Fahlberg.

ANNEX 56

Court Examination of Musketier Paul Blankenburg of Infantry Regiment No. 165.

DUCAL DISTRICT COURT.

Blankenburg (Harz Mountains), November 14, 1914.

Present: Chief Judge Dr. Schilling as Judge.

Chief Court Secretary Hornig as Clerk of the Court.

Paul Blankenburg, musketier of Company 7 of Infantry Regiment No. 165, at present under treatment at the reserve hospital of this city, appeared and, having been instructed as to the meaning of the oath, deposed as follows:

My name is Paul Blankenburg, I am a native of Magdeburg, twenty-one years old, a Lutheran.

The following statement is read to witness which he made in the presence of Lieutenant Reyner on October 31st:

"Marching in closed column we passed through a Belgian village situated west of Herve. There were German wounded lying about in the village, amongst whom I recognized men of the 4th battalion of Chasseurs. Suddenly our marching columns were fired at from the houses, and orders were given, therefore, to remove all civilians from these houses and gather them in one place. While this was being done I noticed that girls, about eight or ten years old, armed with a sharp instrument, busied themselves with the German wounded. Later I ascertained that the ear lobes and upper part of the ears of those of the wounded, who were gravely injured, had been cut off. As we proceeded an orderly of the sanitary corps—if I remember right of the 27th Regiment—was shot to death by Belgian civilians firing from the school house while he was engaged in aiding a wounded soldier in the school yard."

Witness thereupon declared: The statement just read to me is true and correct. I emphasize once more that I myself saw how girls aged eight or ten busied themselves with the severely wounded in the Belgian village. The girls had steel instruments in their hands—but these were not knives or scissors—and with these instruments which had a sharp edge on one side, and which we took from them, they busied themselves with the wounded. There were fresh wounds on the ears of the wounded soldiers, their ear-lobes and upper parts of the ears having been cut off evidently only just before we came.

One of the wounded, in reply to my questions, told me that he had been mutilated in the above described manner by the girls.

Read, approved, signed.

(Signed) Paul Blankenburg.

Witness was thereupon duly sworn.

(Signed) Dr. Schilling.

(Signed) Hornig.

ANNEX 58

Military Court Examination of Reservist Ernst Baldeweg of Infantry Regiment No. 35.

COURT OF THE "IMMOBILE ETAPPEN COMMANDANTUR."

Magdeburg, November 1, 1914.

Present: Deputy Military Judge Dr. Pauls as Judge.
Military Court Secretary Glasdrow.

By order of the Acting General Command of the 4th Army Corps, Ernst Baldeweg, a dairy man of Berlin, 37 Rathenower Street, at present a reservist of Company 11 of Infantry Regiment No. 35, twenty-eight years old, of the German Reformed Church, after having been impressed with the sanctity of the oath, testified as follows:

On or about August 8, 1914, I personally observed in a stable near the village of Verviers that the tongue of a horse had been cut off and in another stable I saw that the tongues of four horses had been cut off. The tongue of the horse in the first stable was not quite severed, but hung out of its mouth by a little band at the palate. I presume that Belgian civilians mutilated the animals so that they could not be of service anymore to the Germans.

Either on Sunday, August 9, 1914, or on Monday, August 10, 1914, in a place which adjoins Herve, Belgium, I saw a German hussar tied by his hands and his feet to a tree. Two big nails had been driven through his eyes so that he was spiked to the tree by the two nails.

The hussar was dead. In the same village, near a wooden fence in front of a farm, lay an infantrist of the 52nd Regiment whose eyes were gouged and whose ears, nose and fingers had been severed and belly cut open so that the intestines protruded. The dead man also showed stab wounds in his chest which had completely lacerated it. Both cases can only have been perpetrated by Belgian civilians.

I wish to affirm that I have stated only my personal observations and that I have carefully avoided to exaggerate anything.

Read, approved, signed.

(Signed) Ernst Baldeweg.

Witness was sworn.

(Signed) Dr. Pauls.

(Signed) Glasdrow.

ANNEX 59

Military Court Examination of Musketier Lagershausen of Reserve Regiment No. 230.

Hanover, November 21, 1914.

Present: Military Court Councillor Lindenberg.

Non-commissioned officer of Reserve Koepf, as Clerk of the Military Court.

Musketier Lagershausen of the First Substitute Company of Reserve Regiment No. 230 appeared as witness and made the following deposition:

I am Hugo Lagershausen, nineteen years old, a Lutheran.

I was a member of the 8th Company of Infantry Regiment No. 73. This had advanced from Spa toward Liège. A first class private of the 74th Regiment, several musketiers of the 82nd and 83rd Regiments and myself were ordered to patrol duty and reconnoitred the territory to our right. This was in the night from August 5th to 6th. As we had to remain absolutely quiet, I finally became separated in the darkness from the other members of the patrol. Towards noon of August 6th I came to a dressing station which had been established in a farmhouse in the vicinity of the village Chêneé. There were about fifteen badly wounded German soldiers in the house, four or five of whom had been cruelly mutilated. Both of their eyes had been gouged out and several of them had their fingers cut off. Their wounds were comparatively recent, although the blood was already somewhat clotted. The men were still alive and moaned. It was not possible for me to help them. There was no physician present, as I ascertained by questioning other

wounded soldiers who were in the house. Besides the wounded I found six or seven Belgian civilians in the house, four among whom were women. The latter gave the wounded to drink, but the men remained inactive. I did not see any weapons in their possession, nor can I say whether their hands were bloody, because they kept them in their pockets. I cannot venture to express an opinion as to whether these people committed the cruelties against the wounded. I could not proceed against them because I was alone.

Read, approved, signed.

(Signed) Musketier Lagershausen.

Witness was duly sworn.

(Signed) Lindenberg.

(Signed) Koepf.

ANNEX 60

Military Court Examination of "Landwehr" Soldier Koch of Infantry Regiment No. 25.

DIVISIONAL STAFF QUARTERS.

Staden, November 27, 1914.

Present: Military Court Councillor Jager.

Military Court Secretary Brehmer as Clerk of the Court.

Landwehr soldier Koch of the 4th Company of Infantry Regiment No. 25 appeared as witness.

After being made acquainted with the object of the examination, and being impressed with the meaning of the oath, he gave the following evidence:

My Christian name is Mathias. I am thirty-two years of age, a Catholic, engaged in foundry work, and a resident of Eschweiler-Roehe.

Until August 16, 1914 I belonged to the first Company of the Reserve Battalion of Infantry Regiment No. 25. We were attached to the automobiles of the sanitary corps as protection. The automobiles had been provided by the Voluntary Nursing Union and they were running between Liège and Aix-la-Chapelle. On a day between the 10th and 16th of August I had been ordered as escort of such an automobile. We drove to the battle-field near Visé. The body of the voluntary nursing Corps were deploying in front of us, while we slowly followed. From a height I could well survey the field in front of me. At a distance of about 500 meters I saw by the side of a wounded German soldier two women in a crouching position. I first thought that

the women were praying near the soldier. Three or four men were standing near them. One of them suddenly shot at me. I returned the shot, whereupon the men and the two women ran away. I then walked up to the wounded soldier who was bleeding from a wound in his chest. His body was partly exposed and closer inspection showed that he had been emasculated.* His body was still warm, but he gave no sign of life. It was so terrible a sight that tears started from my eyes—I let the man lie as there was no doubt that he was dead.

On the same day I found a fallen German whose ring-finger had been cut off. When I spoke to the men of the voluntary nursing corps they said that was nothing new to them, they had often seen it.

Read, approved, signed.

(Signed) Mathias Koch.

Witness was sworn.

Closed.

(Signed) Jager.

(Signed) Brehmer.

ANNEX 61

Report of the 2nd Sanitary Column of the Fourth Army Corps.

Beine, October 15, 1914.

On August 23, I went to the French Field Hospital at Rossignol, where the company had established its main dressing station. On my way there a musketier reported to me, that a dead German was lying in one of the houses. I looked at the dead man at once and noticed that, aside from a wound which was not dangerous, his head was badly burned. A few meters away stood a half-filled kerosene and a benzine bottle. This showed clearly that the inhabitants had carried the wounded German into the house, poured kerosene and benzine over his head and set it afire.

In the night from August 24th to 25th I drove in an automobile from Rossignol to Florenville, where several inhabitants stood in animated conversation in front of one of the houses. When I ordered the automobile to stop, about one hundred meters from the place, to ascertain the direction from one of the signs, these people suddenly opened a violent rifle fire upon me from the rear, so that I could only save myself by driving away quickly.

(Signed) Sternberg, Captain and Commander of Sanitary Company
No. 2 of the VI Army Corps.

*The details stated in the affidavit are so revolting as to be unfit to be laid before the general public.

Report of the Chief Army Surgeon, Dr. Kiefmann, to the Corps Surgeon of the VIII Army Corps.

Transacted in the field-hospital of the VIII Army-Corps.

St. Morel, October 15, 1914.

Army-surgeon Dr. Beyer appeared and reported that in Graide, Belgium, Lieutenant Erich Koch of the 8th Company of Infantry Regiment No. 160, who had been severely wounded in the abdomen, had told him that, after he had received the wound he was stripped by civilians, robbed of his belongings and then thrown into a cess-pool.

Lieutenant Koch was actually brought to the hospital naked, wrapped in blankets only.

Read, approved, signed.

(Signed) Dr. Beyer, Army-Surgeon.

Sergeant-major Joseph Steffen of the Sanitary Corps appeared and testified:

I can only confirm the report of Dr. Beyer. Lieutenant Koch has given me the same account and added that women also took part in the atrocity. Koch had been wounded near Porcheresse.

Read, approved, signed.

(Signed) Steffen, Sergeant-major of the Sanitary Corps.

Transacted as above:

The chief surgeon:

(Signed) Dr. Kiefmann, Surgeon-major.

Military Court Examination of Landwehr-man Alwin Chaton of Reserve Infantry Regiment No. 78.

COURT OF THE AUXILIARY 40th BRIGADE.

Brunswick, October 31, 1914.

(Hospital "Concert Hall")

Present: Military Court Councillor Dr. Behme.

Military Court Secretary de Boer.

There appeared to-day Alwin Chaton, a landwehr-man of Company 5 of Reserve Infantry Regiment No. 78 and declared:

My name is Alwin Chaton, my age thirty-two, I am a Lutheran and by occupation bookkeeper in Emmerstedt near Helmstedt.

During the street fighting in Charleroi, while passing through the main street and turning into a side street, I saw, upon reaching the corner, about 50 to 60 paces from me, a German dragoon lying in the street. Three civilians were beside him one of whom was bending over the dragoon who was seen struggling with his legs. I fired at them and hit one of them; the rest escaped. When approaching I noticed that the slain civilian had a long blood-stained dagger in his hand. The right eye of the German dragoon had been gouged out, likewise the left one which still hanging to the side of his head. The character of the wound clearly showed that his eyes were not gouged while fighting but that they had been maliciously pierced. The body of the dragoon was smouldering strongly. Doubtlessly an inflammable liquid had been poured over him and then ignited.

Later on I saw other burning bodies where there was no fire near, so that they must have been ignited.

Read, approved, signed.

(Signed) Alwin Chaton.

Witness thereupon was sworn.

(Signed) Behme.

(Signed) DeBoer.

ANNEX 64

Military Court Examination of Sergeant Major Weinrich of Infantry Regiment No. 20.

MILITARY COURT OF THE 6TH INFANTRY DIVISION.

Ursel, November 10, 1914.

Present: Acting Military Court Councillor Schmetzer.

Military Court Secretary Hanse.

Sergeant Major Weinrich of the Machine gun Company of Infantry Regiment No. 20 appeared, and, after being instructed about the meaning of the oath, declared the following:

My name is Adolf Weinrich, I am thirty-two years of age, a Protestant.

On a day during the middle of August of this year, while the company was engaged in fighting the enemy, I was following in the rear with the wagons. At the entrance of Neer-Linter I saw a German Hussar lying near a house; he was covered with a bag. I alighted from

my horse, raised the bag, and observed that the Hussar was dead. His face was covered with blood, and his eyes had been pierced; both eye apples had been completely cut out and could not be found nearby. His uniform was torn open, the chest was bare and showed about twenty stabs. His hands were tied together on his back. I then covered the corpse again with the bag.

Read, approved, signed.

(Signed) Adolf Weinrich.

Witness was then sworn.

(Signed) Schmetzer.

(Signed) Hanse.

ANNEX 65

Court Examination of Paul Rohr of the 36th Fusilier Regiment.

DUCAL DISTRICT COURT.

Blankenburg (Harz), November 14, 1914.

Present: Chief-District-Judge Dr. Schilling, as Judge.

Chief Court Secretary Hornig as Clerk of the Court.

Fusilier Paul Rohr of the 8th Company of Fusilier Regiment No. 36, at present in the Reserve Hospital of this town, appeared and testified as follows:

My name is Paul Rohr, born August 28, 1892 in Golbitz near Conneri, a Protestant.

The following report, which he had made here before first lieutenant Reyner on October 31, 1914, was read to the witness:

"Towards the end of August, when we were about to get straw from a barn in the neighborhood of Brussels, we found two otherwise unwounded German Uhlans hidden under the straw, whose eyes were put out. The case, as I know, has already been reported to the Commander of my battalion Kirchner."

Witness then declared: I confirm this report to-day and wish to add the following: The matter occurred in a village in the neighborhood of Brussels towards the end of August of this year. The two German Uhlans whom I found dead in the barn under the straw were entirely free from wounds, aside from having their eyes gouged out. I have no doubt that they died from the result of the injuries to their eyes.

Read, approved, signed.

(Signed) Paul Rohr.

Witness was instructed as to the meaning of the oath and then sworn.

(Signed) Dr. Schilling.

(Signed) Hornig.

**WAR DEPARTMENT, MILITARY INVESTIGATION BUREAU
FOR OFFENSES AGAINST THE LAWS OF WAR.**

Berlin, November 24, 1914.

Military Court Examination of Captain Troeger of Infantry Reserve Regiment No. 204.

Present: Military Court Councillor Dr. Linde, as Judge.

Military Court Secretary Pfitzner as Clerk of the Military Court.

Captain Troeger of Reserve Infantry Regiment No. 204 appeared as witness and deposed:

I am Hans Paul Troeger, forty-nine years old, and a Lutheran.

During the march from Ghent to Thourout two volunteers of Reserve Infantry Regiment No. 203 who had fallen by the roadside through fatigue, were mutilated by Belgian village inhabitants. Their noses and ears were cut off, the abdomen ripped open and the head of one of them was crushed in with the heel of a boot.

This fact was reported to us by Company-commander, Captain of Reserve County Councillor zur Nieden, of whose company the two volunteers had been members.

Another case which occurred in Eessen-Kappel is as follows:

Non-commissioned officer Schnitzer of the 5th company of Reserve Infantry Regiment No. 204 reported to me on October 26 or 27 that he had found a mutilated Prussian Cavalry man lying near Eessen-Kappel, whose ears and nose had been cut off, and whose abdomen was slashed open by the inhabitants. The non-commissioned officer searched the surrounding farms with a detachment of soldiers, and shot some inhabitants who were found armed.

During our march across Belgium from Ghent, we were continuously subjected to the firing of the village population out of houses and church steeples.

Read, approved, signed.

(Signed) Troegers.

The witness was sworn.

Attested.

(Signed) Dr. Linde

(Signed) Pfitzner.

ARMY DEPARTMENT.

**Military Bureau for the
Investigation of Offenses
Against the Laws of War.**

**The Revolt of the Belgian Population
at Aerschot
on August 19 and 20, 1914**

SUMMARY REPORT.

The officially appointed Belgian Investigation Commission and the foreign press have among their numerous defamations of the German warfare in Belgium, also discussed the Aerschot incident. Both dwelled at length on descriptions of the "barbaric" conduct of the German troops and their officers toward the "harmless" population and the lack of cause for the retributory treatment measured out to the "peaceful" city. The true facts of the case, which were ascertained through a number of sworn affidavits carefully drawn up with reliable witnesses present show an entirely different picture:

On August 19, 1914, German troops of the eighth infantry brigade were quartered in Aerschot. The staff of the brigade entered the apparently peaceful city on this day. Colonel Stenger, Commander of the brigade, despatched Captain Schwarz, his Adjutant, ahead to provide for quarters for the members of the staff. Captain Schwarz was cordially received by the mayor and his wife. The mayor placed his own home, situated on the market place, at the disposal of the officers, as the best quarters available. Colonel Stenger, and his orderly-officer Lieutenant Beyersdorff, arrived there between four and five o'clock in the afternoon.

From the beginning the relations between the officers and their host were quite polite and courteous.

Colonel Jenrich, Commander of the Infantry Regiment No. 140 who had been appointed as post-commander, summoned the mayor before him and questioned him whether any dispersed Belgian soldiers were in hiding in the city and whether Belgian soldiers in civilian clothes were hidden in the houses. The mayor answered these questions in the negative. Colonel Jenrich warned him expressly against attacks by the civilian population for which he, as mayor, would be responsible with his head, and requested him to look after the surrender of arms by the inhabitants. This request had to be repeated twice by Colonel Jenrich, because it was found that large quantities of arms had been retained by the population.

Suddenly at eight o'clock in the evening an especially loud shot was heard in the city. This was the signal for the commencement of a general shooting upon the German soldiers in the streets and in the market place. The firing—and evidently the signal shot, too—started from a window in the attic of a corner house near the market place, situated opposite to the house of the Mayor. Three volleys were fired from this house. Then the firing subsided for a short while, after which it was followed by lively

rapid fire from many houses. Most of the shots came from attic windows. All doors and windows in the house out of which the first shots had been fired were tightly closed and had to be forced open by the soldiers. The house was set on fire. A number of civilians who had attempted to escape were apprehended, many among them with weapons in hand. Of these, 88 grown-up men were shot as franc-tireurs.

Colonel Stenger had remained alone in his room in the mayor's residence. A notice posted in front of the house clearly marked it as headquarters of the brigade staff. Relying upon the simulated friendliness of the inhabitants Colonel Stenger had spent the afternoon on the balcony in front of his room, in plain view of everybody. Toward evening he had stayed near the open balcony doors in the well-lighted room.

When Captain Schwarz and Lieutenant Beyersdorff went to call on him after eight o'clock that evening to receive his instructions relative to the attack, they found Colonel Stenger lying mortally wounded in the middle of the lighted room breathing his last; the doors leading to the balcony were open. A physician was immediately summoned but could only establish that Colonel Stenger was already dead. The shots, therefore, were fired upon the Colonel at the same time at which the first heavy firing commenced from the houses situated across from his room. This was a well-planned attack upon the German troops, devised to deprive them of their commander and thus throw them into confusion. For this reason the firing ceased after the first volleys had been fired, and the criminals, seeing that the murder of the Colonel had been accomplished, started their attack against the, as they thought, leaderless German troops in force. The events are so clear that the preceding simulated friendliness of the inhabitants only serves to strengthen, and does not weaken, their correlation, as the Belgian reports claim.

That also the family of the mayor not only knew of, but even participated in the hostilities was established by an immediate search of their residence: Shots had been fired from the locked cellar, the key to which the family claimed to have mislaid and which had to be broken open. A step had even been placed near the cellar windows, to ease the position of the marksman. One of the musketeers was positive to have observed a shot coming out of the house. Only the son of the mayor could be the perpetrator. He had been hidden by the family and was dragged forth from a dark room. As complicity in the murder of the, according to Belgian presentation "hospitably" received, Colonel fell upon the family, father and son were shot on the following day, August 20. The Mayor's brother, in whose home Captain Karge, who had been quartered there at the suggestion of the Mayor, was also attacked, met with the same fate.

The sequence of the shootings alone bar all doubts that it was a case of a well-planned treacherous attack upon the German force of occupation. This was also admitted to Captain Karge by an educated civilian who was taken prisoner.

The participation of the Mayor's whole family proves how systematically the Belgian authorities took part in the treacherous actions against German troops which unfortunately occurred so frequently. In Aerschot the official participation culminated in the foul murder of the military commander.

Berlin, January 17, 1915.

Military Bureau for the Investigation of Offenses against the Laws of war.

(Signed) Major Bauer.

(Signed) Dr. Wagner, district court councillor.

Roubaix, November 6, 1914.

Present: Lieutenant of Reserves Klaus as court-officer.
Vice-sergeant Ross as Military court clerk.

In the examination in regard to the events in the night from August 19th to 20th, 1914, in Aerschot there appeared as witnesses:

1. Captain Schwarz, adjutant of the 8th infantry brigade.
2. Lieutenant Beyersdorff, of the Reserves, orderly officer of the 8th infantry brigade.

After they had been acquainted with the nature of the investigation and were impressed with the significance of the oath to be taken, they were examined individually as follows:

1. Captain Schwarz.

My name is Carl Schwarz, thirty-four years old, of Protestant faith.

On August 19, 1914, I was sent in advance to Aerschot by Colonel Stenger who was shot later and was at that time commander of the 8th infantry brigade; my orders were to arrange for quarters there for the staff. The Mayor of Aerschot assigned to me his dwelling on the market place as the best quarters available. I went to this house and was received most pleasantly by the Mayor's wife. Between four and five o'clock in the afternoon Colonel Stenger arrived with the orderly officer, lieutenant of the reserves Beyersdorff.

Shortly before eight o'clock in the evening, after I had just had a short talk with the Colonel in the latter's room, a lively rifle fire suddenly started in the city against the passing troops and columns, part of whom were stopping in the market place. At the first shots which from the sound seemed to come from the north, I thought at first that they came from a skirmish with an opposing force which had been reported from the north. Soon, however, the shots fired at our house convinced me that the firing was meant for us. The shots did not come from our own troops. After a short pause in the firing it set in again with the same violence. In the meanwhile soldiers of infantry regiment No. 140 had brought the Mayor to me. I had to protect him from the rage of the troops. I then went through the streets with the Mayor and had him call the inhabitants to reason. After the firing had ceased I turned the Mayor over to the local commandant, Colonel Jenrich.

When I returned to the Mayor's house in order to receive orders from Colonel Stenger, I found him lying on the floor of his room heavily wounded.

According to the number of shots which had been fired at our adjoining rooms and from the circumstance that it was evidently known

in the town that the commander-in-chief had his quarters in the Mayor's house (sign on the door), furthermore from the fact that through the wide-open balcony windows the presence of Colonel Stenger could be observed from the other side of the market place, I received the impression that the firing was directed especially at the Colonel.

After Colonel Jenrich had given orders for the withdrawal of the troops from Aerschot I personally made a thorough examination, accompanied by some men of infantry regiment No. 140, of the Mayor's house from which shots were also said to have been fired. The Mayor's wife and daughter were present. On this occasion the locked cellar door, the key to which, it was said, could not be found, was broken in with hatchets at my order. In the cellar I found in front of a window opening on the street, a frame-work from which the shooting must have been done. The window panes were completely smashed. While searching the living rooms the Mayor's son came towards me out of a dark room. I turned him over personally to the guard on the market place.

The slanders circulated in foreign newspapers about our behavior in the Mayor's house are not true. The negotiations about the quartering and provisioning were carried on by both sides in the most friendly and polite way, mostly with the wife of the Mayor since the latter was busy at the city hall. That the friendly tone was replaced by a strictly official one after the shooting of Colonel Stenger and that I did not omit to express my horror at the sad occurrence, is a matter of course.

Read, approved, signed.

(Signed) Schwarz.

Hereupon the witness was sworn.

2. Lieutenant of reserves Beyersdorff of regiment of dragoons, No. 12.

My name is Bruno Beyersdorff, thirty-one years old, a Protestant.

At the examination of the witness it was found that his statements coincided with those of Captain Schwarz. The latter's statements were therefore read to him, whereupon he said:

These statements are correct. I accept them as mine adding the following:

At the time in question, with the exception of short intervals, I was in the same room with Captain Schwarz. The negotiations which we made with the Mayor and his wife in regard to quarters and provisions, were carried out in the most friendly fashion.

For the same reason as those of Captain Schwarz, I am of the opinion that the firing which was directed against our rooms, was meant especially for the Colonel. In this connection I want to add that Colonel Stenger, wearing his various orders, had sat for sometime on the balcony so that he could be plainly seen from the market place. I left

the room together with Captain Schwarz after the first shooting in order to establish order among the troops on the market place, as they had been thrown into disorder by the firing.

When the shooting began soon afterwards for the second time I went alone to the room of Colonel Stenger in order to receive instructions from him. When after knocking several times I was not bidden to enter, I went in and found him in his last agonies at full length in the middle of the room with his face on his crossed arms. Since I found wounds and there was also a great deal of blood, I immediately fetched a physician who established the Colonel's death which had occurred in the meanwhile. I cannot give the name of the physician.

I was not present at the examination of the rooms which took place later on.

It is out of the question that, as is said to be reported in a foreign paper, we behaved rudely in the Mayor's house. After finding the Colonel's body our tone towards the Mayor's wife was indeed entirely formal. We left the house and Captain Schwarz told the Mayor's wife: "Your husband was sufficiently warned. You will have to bear the consequences."

I add that after the shooting was over, so far as I know at least three houses, from which firing was said to have come, were set on fire at the order of Captain Karge. I myself, at the burning of the house adjoining that of the Mayor's, heard the exploding of ammunition. That could be determined by the single explosions.

Read, approved, signed.

(Signed) Beyersdorff.

The witness was thereupon sworn.

(Signed) Klauss, Lieutenant of the reserves and court officer.

(Signed) Ross, Vice-sergeant, as Military court clerk.

ANNEX A-2

Ostel, November 3, 1914.

Present: Lieutenant of the Reserves Klauss as Court Officer.
Field-Sergeant Ross as Clerk of the Military Court.

In matters of investigation concerning the events during the night from August 19 to 20, 1914, Colonel Jenrich, Commander of Infantry Regiment No. 140, appears as witness:

Having been informed about the matter in question and the meaning of the oath, he testified as follows:

My name is Andreas Jenrich, I am fifty-six years of age, a Protestant.

On August 19, 1914 at 5 P. M. I arrived with the staff of my regiment at Aerschot, after the third division had had an encounter in that vicinity with the Belgian troops. I had been appointed to the command of the place and had to take measures for the local service as well as for the security of the position. The staff of the 8th infantry brigade was already in Aerschot and had been quartered at the house of the Mayor. I immediately requested this gentleman to come and see me and ask him whether there were any dispersed Belgian soldiers in the town or whether there were any Belgian soldiers in civilian clothes in the houses. He denied this. I pointed out the consequences, which would befall him and the town if anything should be undertaken against the German troops by the population; I especially left no doubts as to that he would suffer the penalty of death if an attack should be made by the people against the German troops. I considered this warning necessary because the day before in Schaaffen near Diest civilians had shot upon and killed several of our soldiers. To my knowledge the commanding general of the III Army Corps, von Linsingen, had similarly warned the Mayor and the population at noon of August 19, 1914.

Besides this I ordered all weapons in the possession of civilians to be delivered up before the court house at the market place. After an hour I observed that only a small number of weapons had been delivered up. I, therefore, renewed my order to the Mayor to see that all weapons were handed in. Then, to my great surprise, thirty-six more rifles came forth, which, it was alleged, were used at public parades and by the "garde civique." Moreover ammunition for these rifles was found packed in a box. After another urgent warning to the Mayor a greater number of arms were handed in. At 8 P. M. sharp, when the troops had just marched in and were still in the streets, firing was started from all the houses, to which our soldiers naturally replied. I would like to emphasize especially that before the general shooting began a particularly loud shot was heard, which seems to have been a signal. I and several other officers, among them brigade-adjutant Captain Schwarz, succeeded in stopping the fire of our soldiers at the market place. Soon afterwards I heard from Captain Schwarz that the commander of the brigade had been found fatally wounded in his room in the house of the Mayor.

I immediately—it was about 8.30 P. M.—gave orders for the evacuation of the town and went into bivouac outside on the road to Veselaer.

Meanwhile the houses had been searched by the troops and a considerable number of inhabitants arrested who could be proven to have

participated in the onslaught upon the troops. Of the arrested male population the mayor and his son, as well as the brother of the mayor, and every third man, were shot the next morning.

Read, approved, signed.

(Signed) Jenrich.

Witness was then sworn.

Closed.

(Signed) Klauss, Lieutenant of the Reserves and Court Officer.

(Signed) Ross, Field-Sergeant and Clerk of the Military Court.

ANNEX A-3

Tourcoing, November 15, 1915.

Present: Chief Military Court Councillor Hottendorf.

Chief Military Court Secretary Westphal as Clerk of the Military Court.

In matters of investigation concerning events in Aerschot during the night from August 19 to 20, 1914, Captain Karge, commander of the field gendarmes of the II Army Corps appeared as witness, and after the sanctity and the meaning of the oath had been pointed out to him he deposed as follows:

My name is Hans Karge, I am forty-two years of age, a Protestant. Witness handed in the adjoined statement and declared:

I have deposited my testimony in writing.

The written statement having been read the witness added the following:

I accept the statement, just read to me, as my testimony.

I have heard the rumor expressed by several German officers that the Belgian Government, especially also the King of Belgium had issued a decree pronouncing it the duty of every male Belgian to harm the German army as much as possible. Such an order is said to have been found on a Belgian soldier, taken prisoner. I also heard that Belgian soldiers were dismissed to their homes there to fight as civilians against the Germans. As a matter of fact a number of Belgian soldiers, some of whom wore only civilian clothes, while others wore the trousers of their uniforms together with civilian clothes, were taken prisoners

An officer, who had been present at the onslaught in Aerschot told me, that he himself had read at the church door of a village near Aerschot that the Belgians were forbidden to keep German officers

prisoners on their word of honor, but that they were to shoot them. I cannot repeat the exact words of this officer, but their meaning was as I have stated.

A seminary teacher in Aerschot, who is also mentioned in my written statement, assured me, as I believe to recall distinctly, that the "garde civique" had received orders to do as much harm as possible to the German army.

Read, approved, signed.

(Signed) Karge.

Witness then was sworn.

Closed.

(Signed) Hottendorf.

(Signed) Westphal.

Supplement to Report of November 15, 1914.

On August 19, 1914, while I was standing at an open window of my quarters, which had been recommended to me by the Mayor of Aerschot, in the home of his brother, situated on a street leading to the Market Square, a shot was suddenly fired—it may have been shortly before eight o'clock.

In the street below a column was marching to the market square just then. I leaned out of the window, assuming that perhaps one of the soldiers had inadvertently let go off his gun; then a volley was immediately fired. As I had been looking in the direction out of which the first shot had come, I was able to notice a cloud of smoke and dust rising above the edge of the roof of a red colored corner house, located across to the right of my quarters. Soon afterwards a second volley was fired from the same place, as I could plainly see from the light smoke which appeared. I was now certain that the first volley and perhaps also the first shot had been fired from that spot. The shots may have been fired from eight to ten rifles, and I gained the impression from the exactness with which the volley was fired, that the attack was well organized, and perhaps led by some military person. Shortly after the second volley a third volley was fired, followed by a violent rapid fire, which, however, seemed to come not only out of the above mentioned house but also out of the other houses in the street.

The firing was apparently done not from the windows but out of the sky-lights and out of loopholes specially constructed in the lofts. This accounts for the small damage caused among men and animals. For the street was quite narrow and the rifles had to be held in an unnaturally downward position, if they were to take direct effect upon the street and upon the columns which had now come to a halt in the middle of the street. Teamsters and train-soldiers had left their horses and wagons in the meantime and sought shelter in the house doors. The wagons had, in part run into one another, as the horses, without guidance and made restless by the shots, had run their own way.

As shots fell also in my neighborhood, I sought shelter behind the walls between the windows.

After a while I believed I could observe that the fire was being answered by our troops from the market square. Shortly afterward signals and shouts were heard: "Cease firing!" The firing did stop for a while but was resumed, apparently by both sides, but with less severity.

I had made use of the brief truce to leave my quarters and to go to the Market Square to report to a Colonel, standing there, the observations I had made. At the same time I asked permission to set fire to the house out of which the signal-shot—as such I regarded it—and the volleys had come, and because I believed that the ringleaders of the whole enterprise were assembled in that house. The Colonel refused this request. I then returned into the street but a soldier, standing in a doorway, stopped me and called:

"I have just plainly seen that a shot has been fired out of the house opposite."

He pointed the house out to me and I recognized it to be that of the Mayor.

I now took several soldiers, who were nearby (members of Inf. Reg. No. 140) and went with them up to the house out of which the first shots were fired, and where I suspected the ringleaders and instigators of the attack to be still in hiding. In the meantime a Lieutenant of this regiment appeared and placing him and the men under my command, I ordered them to break down the windows as well as the doors to the house and to the shop on the main floor, both of which were tightly closed; I then entered the house myself and with the help of the contents of a can of turpentine, containing about twenty quarts, which I ordered to be poured out on the first floor, down the stairway and in the basement, we soon succeeded to put the house afire. I had also ordered some of the soldiers to guard all the exists and to arrest all male fugitives.

When I left the burning house several civilians, including a young clergyman, had already been arrested in the adjoining houses. I ordered them brought to the Market Square; a troop of field-gendarmes had assembled here in the meantime. I now ordered the column to march out of the city, took command over all the prisoners, from among whom I discharged the women and children. A staff officer (a division Commander of Field Artillery Regiment No. 17), gave me orders to execute those who had been arrested. With a part of my gendarmes I then rearranged the columns and marched them out of the city. The other half I ordered to escort the prisoners out of the city. A house was in flames at the outskirts and by the light of that fire I had the culprits—eighty-eight in number—shot, after having first separated three cripples from them.

Later a second batch of prisoners arrived. Among these I selected the one who appeared the most intelligent and told him that all of the guilty prisoners would be shot, but that I would spare his life if he would tell how the attack had been organized, for I had no doubt that the affair was the outcome of a well organized plan. This man, who was a teacher at the Seminary at Aerschot, spoke German and admitted that the citizens of Aerschot had made a big mistake when they received the fleeing Belgian soldiers, secreted them in their homes, and supplied them with civilian clothes. They had undoubtedly joined the "Garde-civique," which thereupon launched the attack.

When I consider the peculiar and suspicious attitude of the Mayor, of his brother and of several other citizens of Aerschot, with whom I came in contact, I have no doubt that a large portion of the population consciously transposed their hostile feelings into action.

(Signed) Karge,
Captain of the Horse.

ANNEX A-5

Darmstadt, January 12, 1915.

Present: Military Court Councillor Bernhards.

"Referendar" Hoffmann as Military Court Clerk.

In matters of investigation concerning the facts connected with the assault by the civilians in Aerschot, Captain Folz appeared as witness:

After having been made familiar with the matter of investigation, and with the meaning of the oath, he deposed as follows:

My name is Hermann Folz, I am thirty-two years of age, a Protestant, Captain of the 49th Infantry, at present of the Aero-reserve-detachment No. 3.

On a day in August, I do not remember any more on which day, I came with the staff of the 8th Infantry brigade to Aerschot to make quarters there for my regiment. It was between three and four P. M., when we rode into the town. Previously parts of the 3rd infantry division had passed through, and the entire town, crooked and narrow as it is, was full of baggage trains, artillery and ammunition columns. About three hours after our arrival suddenly a senseless shooting commenced, from the northwest exit of the place. Soon afterwards a detachment of the Sanitary Corps—I believe it was the second company—(one Dr. Wildt was among them) as well as parts of the baggage-train belonging to the third division arrived while shots were being fired continuously, and reported that they had been fired upon and that a Belgian Battalion was approaching. With great difficulties we succeeded to

bring our machine-gun company to the front and I, with the leader of the company, Captain Schleusener, rode in the direction of the Belgian Battalion, reported to be approaching. About 3 Km. from the town, at a wind mill, we ascertained that no enemy was in the neighborhood. I therefore walked back to Aerschot. Already during our advance we heard continuous shooting in the town; when, however, I crossed a bridge leading into Aerschot, I observed that our troops were being fired upon from the houses. The shots came partly from windows of the upper floors, partly from cellars, and one could clearly distinguish by the noise that machine guns as well as rifles were being used. The situation became such that our men stood close to the walls and, whenever they saw a shooter in a house across the street, they fired at him. I saw several of our men wounded by those shots and heard the bullets whizzing around my head. Close to the town office, which was to be transformed into an artillery depot, a Captain of Infantry Regiment No. 140 was standing, who ordered the bugler to blow the "halt." Evidently he intended to stop the shooting of our men first in order to be able to start a systematic proceeding. At the market place I met Brigade-adjutant Schwarz, who since then has been killed; he told me that the commander of the 8th brigade, Colonel Stenger, had been shot. I immediately hastened to the quarters of the Colonel in the house of the Mayor on market square, where I found Colonel Stenger lying dead upon the bed. The orderly officer, Lieutenant Beyersdorff of the 12th Dragoons, who was present, told me that he had found the Colonel in the room about three meters from the window lying dead on the floor, face downward. I could still see two puddles of blood on the floor; I also observed that the wall opposite the window was riddled with bullets. The window panes were shot to pieces. I noticed a wound on the dead body, running from the right eye to the right ear; and I also observed a shot through the right side of the chest, of which one could see only the gaping wound where the shot had entered. The regimental surgeon of the 140th Infantry, who on the next day opened the body in my presence, found in the chest a deformed lead bullet, torn by hitting on a hard object. The bullet had severed a main artery and caused death immediately. Also the wound in the face, according to the surgeon, was not one caused by an Infantry rifle bullet. There is no doubt, judging from the downward direction of the wound and from the nature of the bullet, that the Colonel was not shot from the street, but from one of the houses across the street by one of the inhabitants. Considering the calibre of the projectile which hit the chest, it must have been fired from a breech loader. I have handed the bullet, which was removed from the body, to the paymaster of the II Battalion of the 49th Infantry to keep it. The paymaster's name is Wirowski. The

revolt then was systematically suppressed, and the houses were searched for snipers. About forty civilians, among them several clergymen,—at least two—were found with weapons in their hands.

All facts considered we have here, beyond doubt, a well planned assault by Belgian civilians upon German troops.

The regimental adjutant first-lieutenant von Oppen also witnessed the occurrences and will be in position to testify. Also the Captain of the gendarmes of the II Corps, Karge was present.

Read, approved, signed.

(Signed) Folz.

Sworn according to law.

(Signed) Bernhard.

(Signed), Hofmann.

ARMY DEPARTMENT.
Military Bureau for the
Investigation of Offenses
Against the Laws of War.

**The Revolt of the Belgian Population
at Andenne
on August 20, 1914.**

SUMMARY REPORT.

Andenne is a small Belgian industrial town of about 8,000 inhabitants, on the southern bank of the Meuse, situated halfway between the fortresses of Huy and Namur. The German troops had repeatedly touched Andenne in their advance. Thus on August 20, 1914, two infantry regiments and a battalion of sharpshooters marched northward in the direction of Coutisse towards Andenne where they were to cross the Meuse on the pontoon bridge. Major-General, Freiherr von Langermann und Erlencamp was the leader; while Major von Polentz was at the head of one of the infantry-battalions.

The attitude of the inhabitants of Andenne towards the passing troops was seemingly friendly. They handed them water, and the soldiers believed that they might peacefully pass the town in the stillness of the evening, and thus reach the Meuse which flows in the north. But no sooner had the head of the marching columns arrived at the Meuse bridge than the tranquil picture of the town suddenly changed and the inhabitants, as unfortunately happened so often in Belgium, showed their true character. On this occasion their actions took the shape of unequalled deviltry. The church-bells pealed a signal from the belfry. When it died away, the inhabitants who only a moment ago had been so ready to help had disappeared from the streets, locked their houses, and closed their shutters. On all sides a raging fire began to pour down on the unsuspecting troops. Shots were fired in the town from cellar-windows and roof-apertures which had been cleverly prepared. Hand-bombs and hand-grenades were raining down on the soldiers who were for the time defenseless; machine guns sent their murderous bullets into the ranks of the soldiers. At the same time hidden franc-tireurs began to shoot from the Meuse heights which face the end of the bridge. Besides, men and women in a mad rage poured out of half-opened windows boiling water on the German troops; amongst the men of Major von Polentz alone more than a hundred men were injured by scalding.

The troops had to defend themselves resolutely against these brutalities. They entered the houses and shot the cowardly assailants down in their hiding places; the houses which served them for such purpose were set afire. During those fights about 200 inhabitants lost their lives.

That was the course which the street fights took at Andenne as proven beyond question by the appended official report of Major-Gen-

eral von Langermann und Erlencamp and by the statements made on oath by Major von Polentz and reservist Roleff—all of them eye witnesses, and as further corroborated by the supplementary report of Lieutenant Goetze.

Berlin, March 29, 1915.

Military Bureau for the investigation of offenses
against the laws of war.

(Signed) Major Bauer.

(Signed) Dr. Wagner,

District Court Councillor.

Berlin, January 21, 1915.

Official Statement.

In the afternoon of August 20, 1914, I received orders to advance from Coutisse to Andenne with the brigade (1st and 2nd Guard Regiment of the Reserves and Reserve Battalion of the Guard-Sharpshooters) and there to cross the pontoon bridge over the Meuse. At Andenne, an industrial town, we had to stop for about ten minutes, and the citizens standing in front of the houses in the narrow street, through which we passed, readily passed us drinking water and showed themselves remarkably friendly towards us. No sooner had I crossed the bridge at the head of the first Guard Regiment when a fierce rifle fire suddenly greeted us from the hill opposite the bridge and simultaneously from the houses. Not only men shot at us, but also as reported to me—several of the women. Our men entered the houses from which the shots came and shot down the armed tenants. The houses from which we were attacked were set on fire at my order. This measure was effective; the rifle fire gradually decreased and finally stopped altogether; but later it revived when all the troops in the rear of my brigade passed through the town. Strange to say our losses were slight. The franc-tireurs were very poor marksmen. I did not see one single French or Belgian soldier in the whole town and its vicinity. The fire directed against us solely came from the civilian population. As reported to us afterwards, a document was found, I think it was the next day, in possession of the mayor of the town from which it appeared that the assault upon us by the population had been planned to the smallest detail and was to take place at a fixed hour. Shortly before the appointed time all the inhabitants who had acted so kindly towards us while we passed through the streets went into their houses, locked them and at the fixed minute fire was opened on us. No cruelties whatever were committed by the troops under my command; in particular all inhabitants who showed themselves in the streets without arms, were spared; if they aroused suspicion in any manner they were merely arrested.

(Signed) Baron von Langermann.

**ARMY DEPARTMENT. MILITARY COMMISSION FOR THE
INVESTIGATION OF OFFENSES AGAINST
THE LAWS OF WAR.**

Berlin, November 21, 1914.

Present: Military Court Councillor Dr. Wagner as judge.
Military Court Secretary Pfitzner as Clerk of the Military Court.

Major von Polentz of this city appears and declares:

My name is Friedrich von Polentz; my age is forty-two; I am a Lutheran, Major of the 3rd Guard Infantry Regiment.

When during the second half of August I marched through Belgium as battalion commander of the 2nd Guard Reserve Regiment, I repeatedly observed that Belgian civilians took an active part in the hostilities against our troops particularly by firing at us. This was particularly the case in Birodtige near Stavelot and in Evelette, south of Andenne. The worst case occurred in Andenne (between Liège and Namur).

After we had entered this town, a bell signal suddenly was sounded at 6.30 P. M.; thereupon the iron shutters were let down in all the houses; the inhabitants who until then had been standing in the streets, disappeared, and my troops were fired on from all directions, mainly from cellar hatches and roofs. Moreover boiling water was poured from numerous buildings upon our men. As a result embittered street fighting ensued between the civilians and my soldiers who had given no cause for this perfidious attack. That the attack, at which almost the entire population of the city of Andenne and its suburbs took part, was a carefully laid plot is also shown by the fact that 100 (one hundred) of my men were injured by scalding alone.

The troops which followed us in the marching column were also attacked by the civilian population of Andenne; likewise had the sections which preceded my battalion been fired upon by the civilians.

At Leuze, north of Namur, the parish priest at first met me in a friendly manner and assured me on his word of honor that no hostilities were to be expected from the members of his parish. Nevertheless about fifteen minutes later shots were fired from six to eight houses; they could have only come from the civilian population as the regular hostile troops had long before been repulsed.

Read, approved, signed.

(Signed) Von Polentz.

Witness hereupon was sworn.

(Signed) Wagner. (Signed) Pfitzner.

ANNEX B-3

Berlin, December 5, 1914.

Present: Military Court Councillor Stack.

Corporal Wesselmann Clerk of the Military Court.

There appeared as witness Private Hugo Roleff, and, after having been instructed as to the meaning of the oath, deposed as follows:

My name is Hugo Roleff, my age is twenty-eight, I am a reformed Lutheran, my trade is that of a weaver, I live in Elberfeld, Osterbaum #9.

I went as private into the field with the 11th company of the 2nd Reserve Guard.

On August 20, 1914, the first section of the 11th company was assigned to protect the artillery munition column. In the evening we arrived outside Andenne. Everything being quiet we drove into the town. Some streets were passed without trouble. When we were about to turn into the main street bells were suddenly rung. Simultaneously a murderous rifle fire was directed at us from all windows and sides. Hand bombs and hand grenades were thrown at us, and machine gun-fire was also directed at us. I noticed this when I lay wounded in the street and very regular shots came from cellar windows, and also I heard the characteristic fire of machine guns.

Our horses ran away, our cart was hit by a hand grenade, the horses fell, the cart tipped over, the carts behind us collided with ours, and wild confusion followed. When the cart tipped over I was thrown off and got both calves crushed. We immediately replied to the fire, as we had been warned to be careful and had prepared ourselves accordingly. Before the munition column was put into order again and able to proceed we had to endure half an hour's steady fire until the rifle guard came to our assistance.

On account of my injury I was first taken to the market square; then I spent two days in the house of a physician who was absent however, after which I was treated in the school house that had been turned into a hospital.

Here I was nursed by German families who had lived there for some time. They told me that the whole assault had been carefully planned and that the clergy had proclaimed the necessary instructions from the pulpit.

Read, approved, and sworn to.

(Signed) Stack.

(Signed) Hugo Roleff.

(Signed) Rudolf Wesselmann.

ARMY DEPARTMENT.

Military Bureau for the
Investigation of Offenses
Against the Laws of War.

**Fight of the Belgian People
at Dinant**

from August 21–24, 1914.

SUMMARY REPORT.

Immediately after crossing the Belgian frontier the Twelfth Army Corps had difficulties with the civilian population of Belgium, which reached their height in and around Dinant.

For the advance Dinant was of especial importance, in so far as the corps was to cross the river Meuse there.

The town with its suburbs of Leffe and Les Rivages on the right bank, and of Neffe, St. Médard and Bouvignes on the left bank of the Meuse lies along the river in a deep-cut valley. Both banks are steep and in many places rocky and rise up in terraces to a height of about 70 meters, the right side being a little higher than the left. Above the center of the town, on the right bank towers the fort, about one hundred meters high. Close near it, to the north, ends the main road which runs from Sorinnes. There are two further accesses from the East in the deep side valleys which end at Leffe and Les Rivages.

On August 15, 1914, a venture of German cavalry, in which among others the sharpshooters' battalion No. 12 took part, had resulted in a temporary occupation of the right Meuse bank. It was given up again before superior numbers of the enemy on the same day, numerous dead and a few wounded being left behind.

On August 17 the enemy's troops withdrew to the left Meuse bank. From that time Dinant, Leffe and Les Rivages were free from the regular troops of the enemy.

On August 21st, the Twelfth Army Corps (1st Royal Saxon Corps) became active outside Dinant. On the evening of that day the 2nd battalion of the sharpshooters, Fusilier-Regiment No. 108 went on a reconnaissance in force to Dinant accompanied by a detachment of pioneers. When they reached the first houses on the road that leads from Sorinnes, a signal shot was suddenly fired. At the next moment shots cracked on all sides. They were fired from all the houses, and blazed from the hill sides. The houses were stoutly barricaded so that clubs, axes and hand-grenades had to enforce access. Wires had been stretched across the street to cause the soldiers to stumble. Many of our men were wounded with small shot. Also stones were thrown at them.

The battalion penetrated as far as the bridge, where it ascertained that the bridge was occupied by the enemy's troops, and then returned, all the while being shot at from the houses. A thorough clearing of

the place from franc-tireurs was not possible owing to the necessary haste. It was tried to overpower part of them by setting fire to those houses from which shots came.

It was evident that the populace made this assault on the reconnoitring detachment in accordance with a preconceived plan. It was also evident that Dinant had known of the impending venture and had turned to use measures which had been prepared long beforehand for that purpose. That preparation had been made was proved, among other things, by the loopholes with which numerous houses and walls had been provided.

After that experience it was to be expected that in future operations too, the civilian population would take part in the fight, but the fears entertained in that respect were far surpassed by the extent and the stubbornness that participation actually assumed.

On August 23rd the left Meuse bank was to be taken by the Twelfth Corps. After preparatory artillery fire the infantry advanced in the direction of Dinant, the 32nd infantry division northward, and the 23rd infantry division southward. The left wing of the enemy was attacked by Grenadier-Regiment No. 100 (Body Guards), and Infantry Regiment No. 132 and, next to that, the Sharpshooters' Regiment No. 108, whilst Infantry Regiment No. 178 reached Leffe through the Leffe valley.

The enemy was expelled from the heights of the left Meuse bank on the same day, August 23rd, with comparatively small losses to our side. The losses, on the other hand, which the hostile civilian population of Dinant and the neighboring places inflicted on the Twelfth Corps on August 23rd were very considerable; so were the exertions needed to break down the resistance, completely organized as it was, of the civilian population on August 23rd and the subsequent days.

Again, as on August 21st, the people of Dinant and its surroundings seemed to be informed that the advance of the Corps was imminent, and they were prepared in proportion.

The 1st battalion of the Regiment of Body Guards came from Herbuchenne and marched down a steep slope. During their descent they were taken under a brisk fire from houses and passages. In part it was necessary to fight for each house separately and to make use of hand grenades in order to drive the occupants out of their hiding places from where they used all sorts of weapons, being concealed from the cellar to the attic. Those who were caught with arms in hand were shot on the spot, while suspects were first of all taken to the city jail as hostages. In spite of these measures the populace continued to shoot at the Body Guard grenadiers who suffered considerable losses, especially in officers. Amongst others Lieutenant Treusch von Buttlar fell here, while Captain Legler was seriously wounded.

In the meantime a large portion of the place was in flames partly owing to the use of hand-grenades, partly to French and German artillery fire. But all this had not been enough to convince the population that their participation in the fight was both useless and dangerous. Until evening, even when on the march to the crossing point which had been prepared at Les Rivages, the regiment was shot at from the houses.

Regiments No. 108 and 182 made the same experiences when they reached Dinant north of the regiment of Body Guards. Even from the easternmost houses they were shot at. The Ferme Malais was stormed by the 1st battalion of Regiment No. 108 of the sharpshooter-fusiliers. All franc-tireurs who offered resistance there were killed. In a fierce fight for every house an advance was made in the direction of the market place, the men expecting all the time to be shot at by invisible enemies from cellars, caves and slopes. Amongst others Major Lommatzsch of Infantry Regiment No. 182 was mortally wounded here by shots fired by two civilians from the windows of a house. Shots were even fired from the Cathedral. As early as in the course of the morning the commander of the 46th Brigade recognized that it was impossible to subdue the fanatical population without a bombardment of the place by artillery. But the troops were too far engaged in the house-to-house fighting to be withdrawn immediately. Only after 3 P. M. the regiments could be withdrawn to the heights north of Dinant so that now the artillery, particularly parts of field artillery regiment No. 12 and a battery of heavy artillery could more effectively take Dinant under fire from Leffe.

Early in the morning, Infantry Regiment No. 178 had begun its march from Thynes to Leffe, using the low road along the Leffe valley. Even before reaching Leffe, the company marching at the head was shot at from isolated lots and from steep slopes that lay along both sides of the road and were partly wounded. Particularly brisk was the fire from the paper factory on the left of the road and the adjacent houses pertaining thereto. Therefore the slopes were searched for franc-tireurs, later with the help of the 11th Sharpshooters. The barricaded houses were forcibly opened and cleared of their inhabitants. All who were caught with arms in hand were shot. The trouble caused to the advancing regiment by the people hidden in the houses grew ever more violent. Shots came out of every house, although in many houses no one could be found, the snipers retreating into their hiding places, only to leave them later and shoot again at the German troops. Thus it became imperative to set fire to a number of houses in order to force the snipers out of their coverts. A number of inhabitants were taken to the convent yard as hostages.

The 9th Company of Regiment No. 178, making front against the enemy on the left Meuse bank, occupied a garden lot along the river which belonged to a villa and a factory. Here too the soldiers were

shot at. The villa and the factory were consequently cleared of their occupants. The owner and a number of his workmen were fetched from the cellar of the factory and shot. The women and children found with them were accommodated in the convent yard.

Nearly all day Regiment No. 178 fought fiercely with the Leffe population suffering many losses.

Infantry Regiment No. 103 which arrived at Leffe towards evening was also shot at by franc-tireurs from the slopes of the Leffe-ravine and from houses. The same measures of defense had to be taken: men caught with arms were disarmed and shot, and fire was set to such houses as could not otherwise be cleared. In the evening it became quiet at Leffe. But the assumption that no more was to be feared from the populace proved erroneous. After dusk the pickets on the left wing, which the 2nd battalion of Infantry Regiment No. 178 had placed towards the Meuse as a safeguard, were attacked by a large number of inhabitants south of the barracks of the 12th Belgian Infantry Regiment. A reinforcement of troops cleared that region and the adjacent part of the town, being all the while kept under fire from the houses by franc-tireurs. A considerable number of persons who were caught with arms in hand were shot.

About midnight the von Zeschau detachment coming from Houx arrived at the northern entrance of Leffe. Barely were the first houses reached when a brisk gun fire was poured from them on the foremost companies. The doors of the houses had been barred and the windows barricaded with bedsteads and other furniture. Those houses were stormed and set on fire as a protection against franc-tireurs who could not otherwise be caught. The men who were found in those houses with arms were shot. Also from the above mentioned factory was a brisk and constant fire poured on the detachment, especially on the machine gun Company of Infantry Regiment No. 177, and the fire of the franc-tireurs only ceased when the factory was set on fire.

Whilst these events happened in the North of Dinant, sanguinary battles with the civilian population also ensued in the South, at Les Rivages and Anseremme.

Late in the afternoon Grenadier Regiment No. 101 together with the third company of field-pioneers arrived at Les Rivages on the road which terminates there, in order to cross the river Meuse. Already in the morning the pioneers, with pontoon wagons to bridge the river, had reached that section of Dinant which the regiment of body guards had occupied. But they had been obliged to retreat to the height because they had been fired at from the houses, and could not check the shooting in spite of their efforts to clear them, in which efforts they were supported by the infantry.

First of all, the village of Les Rivages appeared as dead. On the opposite bank the houses of Neffe were ablaze, from hits of our artillery fire.

The crossing began at once. First the 2nd and then the 11th Company of Grenadier Regiment No. 101 gained the left bank and started a large frontal attack against the enemy's infantry on the western river heights. The 11th Company in passing the narrow lane at Neffe were fired at, in quick succession, with five loads of small-shot. The barricaded house was forced open, the snipers, one man and two women, were shot.

Immediately afterwards the company, led by the captain, reached the railway dam. At that place, an outlet for water traversed that embankment. In front of it lay a civilian, shot, with a carbine-like weapon in his possession. In the dark tunnel people could be seen. The Captain called out loud: "Sortez, on ne vous fera rien." (Come out, no harm will be done to you.) Neither an answer came back from the dark passage nor did the people hidden there leave it. The consequence was that a number of gunshots were fired into the passage. The grenadiers rushed across the railway embankment further up the height. The detachment which had been left behind to secure and clear the passage hunted from 35 to 40 civilians out of it, men, half-grown boys, women and children, also found 8 to 10 rifles, not hunting rifles, but apparently military guns. A part of the civilians were killed or wounded by the fire of the grenadiers.

In the meantime everything kept quiet at Les Rivages. The first person who made his appearance was a lame man. He said that he was the Mayor, and that the people of Les Rivages were peaceful in contrast to those of Neffe. He was, therefore, sent over to Neffe with orders to admonish the Neffe people to keep quiet; if they did, no harm would come to them.

The commander of the Grenadier Regiment No. 101 secured from the nearest houses a number of persons to avail himself of them as hostages in case of hostile actions on the part of the population. It was explained to them that their lives were pledged for the safety of the troops. That measure was caused by the revolt of the native population of Dinant, which had become known, and by the report, made at that very moment by an officer, that he had been fired at out of the houses close to Les Rivages, south of that place in the direction of Anseremme. The men were placed along a garden wall to the left of the crossing point, the women and children, who had come out of the houses with them, a little lower down the stream.

The crossing and the bridging of the river continued. When the bridge had advanced about forty meters, franc-tireurs suddenly began a brisk gun fire out of the houses of Les Rivages and from the rocky

slopes south of the "Rocher Bayard" and its proximity. The shots were fired on the close formation of the grenadiers who were waiting for passage and on the working pioneers. The greatest consternation and confusion ensued. In consequence, the male hostages who were gathered at the garden wall were shot.

The shooting of the hostages which was evidently noticed by the unseen franc-tireurs had the result that the firing ceased, and the bridge building continued.

On August 24th and partly in the previous night the troops of the corps managed to cross the Meuse at Les Rivages and Leffe. On August 25th the hindmost formations of the corps also crossed the river.

But the stringent measures taken on August 23rd hal by no means finally checked the franc-tireurs. Also on the two following days, passing columns and single individuals were shot at from the slopes and out of houses though not to such an extent as on August 23rd. Those actions had again to lead to reprisals. Some civilians caught in the act were shot, and the artillery bombarded the buildings which were occupied by franc-tireurs. The latter happened at Neffe and St. Médard on August 24th, the former in all parts of the town on August 24th and 25th.

If one surveys the entire resistance offered to the German troops by the people of Dinant and its suburbs, the plan and method of that resistance is the most striking feature.

Even before August 23rd those who lived in the surroundings of Dinant knew that an organization existed at that place for the purpose of treacherously attacking the German troops. It was known that the assaults made by native civilians on German troops at Sorinnes and other places east of the Meuse were partly due to emissaries from Dinant.

That organization was remarkable for its careful preparation and its wide extent.

The houses had been put in a state of defense, doors being barred and windows barricaded, loopholes being cut and large supplies of fire arms and ammunitions stored up. That there was a large supply of ammunition is evident, among other things, from the fact that projectiles would constantly explode in the burning houses. At the time of the venture in the night of August 21st wires were strung across the street to make the soldiers stumble over them.

The firearms were only partly sporting guns; there were also machine guns and Belgian military rifles. That permits of the conclusion that the Belgian Government gave its support to the organization. The whole of Dinant with all its suburbs on the right and left of the Meuse river was equally well prepared. At Leffe, at Les Rivages, at Neffe, everywhere we found barricaded houses, loopholes and firearms. Moreover, the fighting reports emphasize that the Belgian civilians wore no

military emblems. The entire population was agreed to check the German advance. They have only themselves to blame if they partly perished in the dangers to which they exposed themselves of their own will.

The resistance offered was most stubborn. It was carried on with all kinds of weapons, with military and sporting guns, with bullet and shot, with revolvers, knives and stones. All callings, even the clergy, took part in it, all joined—men and women, old people and children. Firing would continue from the cellars of burning houses, and one franc-tireur even fired at the firing squad with a revolver at the very moment when he was to be summarily shot.

With malice and treachery people fired, invisible themselves to those outside, out of loophole from behind at passing divisions or at individual officers. When the Germans entered the snipers would escape through back doors into the numerous caves and subterranean passages to continue their assassins' work in other places.

Some male franc-tireurs had donned woman's dress.

The Geneva emblem was misused by individual persons and for buildings in order to harm the Germans under its protection.

Even wounded soldiers who were being retransported as well as the sanitary staff were shot at from the houses.

But the climax in the revolting outrages to which their fanaticism drove the population was reached in such acts as cruelly assassinating the sleeping, outraging the dead, burning the wounded soldiers who for the purpose were tied down with wire.

In viewing the attitude taken by the troops of the Twelfth Corps with regard to the extremely hostile proceeding of the civilian population who employed all and any means, however reprehensible, the tactical aim of that Corps must not be lost sight of, which was speedily to cross the Meuse and drive the enemy from the left bank of the river. It was a military necessity quickly to overcome the resistance of the inhabitants who opposed that aim,—an aim which had to be attained by every means. From that point of view it was certainly justified to bombard with artillery the town which had taken active part in the fight, to burn the houses which were occupied by franc-tireurs, and to shoot the inhabitants who were caught with arms in hand.

Likewise in agreement with the law was the shooting of the hostages which took place in various localities. The troops that were fighting in the town were in dire distress since, under the artillery, machine gun and rifle fire of the regular army of the enemy which was stationed on the left Meuse bank, they were shot at by the inhabitants both in their rear and on their sides. The hostages were secured in order to stop the action of the franc-tireurs. As nevertheless the people continued to inflict losses on the fighting troops the shooting of the hostages

had to be resorted to. Otherwise their seizure would only have meant a vain threat. The shooting of the hostages was all the more justified as their innocence was not likely considering that the population in general took part in the fight, and it was inevitable in regard of the military object in view and of the distress of the troops, who were being treacherously attacked from behind.

The lives of women and children, unless they were caught in the act, or self-defense was necessary against them, have been spared on principle. If, in spite of this, women and children were killed and wounded the existing situation easily explains that. They were partly struck by hostile projectiles which came from the left bank of the Meuse, and partly by shots gone astray during the fight in the houses and streets. At Les Rivages, too, during the shooting of the hostages, some women and children were hit who, contrary to the direction given, in the general confusion had left their place, which was separate from that of the male hostages, and had crowded together with these.

That the conduct of the troops of the Twelfth Corps was not ruthless or cruel, is proved by numerous cases where they made provision for women, old men and children, acts which were most creditable under the obtaining circumstances. A number of confined women were carried from endangered houses to a place of safety and bedded on mattresses near our wounded soldiers. Wounded inhabitants—the wounds were generally the result of the enemy's fire—were bandaged and received conscientious medical treatment. Little children who were found alone were assigned to the care of women. The large number of women and children who had come from the burning town of Dinant, and were at Les Rivages in the night from the 23rd to the 24th of August, were sheltered in a house and provided with food and drink. In the morning they all got hot coffee from a field kitchen of the regiment of body guards.

The statements made by the surviving inhabitants of Dinant concerning the fights about their town, and the reports, based on those statements, of the Belgian Investigation Commission and of the hostile press are all characterized by ignoring the part taken by the population in the fight against our troops and by reporting merely and with intentional exaggeration what our troops have done to ward off that participation in the fight. In view of the established facts it is a malicious distortion of actual conditions to state that civilian inhabitants had fired no shots since they were ordered to deliver all arms.

Without doubt it is a matter of profound regret that in consequence of the occurrences on August 23rd and 24th the prosperous town of Dinant with its suburbs was burned and ruined to a large extent, and numerous human lives lost. Not the German army, however, but exclusively the inhabitants of Dinant bear the responsibility for it. The

whole population of Dinant, contrary to international law, fought against the German troops fanatically and treacherously, and compelled them to take such reprisals as the military aims required.

If the population had kept aloof from armed resistance and open participation in the fights they would hardly have been injured in life and property, however much the military operations might have endangered their condition.

Berlin, April 11th, 1915.

Military Commission for the Investigation of offenses against the laws of war.

(Signed) Major Bauer.

(Signed) Dr. Wagner, District Court Councillor.

MILITARY COURT OF APPEAL, DRESDEN.

Dresden, November 6, 1914.

Paul Kurt Büchner, reservist of the 1st field company of Pioneer Battalion No. 12 in Pirna appears by order and states:

On August 21, 1914, my detachment was sent to Dinant during the night for reconnoitring purposes. With us marched the II battalion of Sharpshooters, Regiment No. 108. When we arrived at the city we were fiercely shot upon from the houses. We stormed a number of houses and saw that the shooters were civilians without any military emblems. We then retreated.

On August 23, 1914, the 23rd division advanced to the attack of Dinant. Here too we were shot at by civilians only, of whom a number were killed. At that time I received a shot in the thigh.

I then was taken to the hospital which was established in Sorinnes castle. During the night the castle was attacked and fired upon by the inhabitants of the village of Sorinnes. The inhabitants were driven back, however, without succeeding in entering the castle.

Read, approved, signed.

(Signed) Kurt Büchner.

Witness was sworn.

(Signed) Dr. Illing,

Councillor of the Military Court of Appeal.

Neufchâtel, February 20, 1915.

Present: Chief Military Court Councillor Schweinitz.

Military Court Secretary Lips as Clerk of the Military Court.

Witness named below appeared and testified in matters concerning the events in Dinant as follows:

My name is Herbert Max Reinhard Brink, I am twenty-two years of age, a Protestant, lieutenant of the 1st Field Company of Pioneer Battalion No. 12, XII Army Corps.

I was in command of a detachment of the 1st field pioneer company which took part in the reconnaissance in force during the night from August 21 to 22, 1914. At that time we were intensely fired upon from the houses. I did not see the shooters, but they certainly were not

soldiers, since many of our injured soldiers were wounded by buck-shot. During the street fight a small old revolver fell upon my head, from which a shot had been fired. An officer, or soldier for that matter, would hardly have had such an obsolete weapon.

On August 23, 1914, I marched with a part of the first pioneer company into Dinant where I met the detachment of Count Kielmansegg. We were intensely fired upon from the houses, also at the bank of the River Meuse—but by no means from the other bank of the Meuse only. The shooters were civilians. I myself have seen several civilians with weapons in their hands. Also a woman shot upon us from the top of the stairs when we entered a house. She was shot immediately from below.

I witnessed that at one place four men and a woman were shot by grenadiers because they carried weapons and came out of the houses from which we were shot upon. I also was present when a number of guilty inhabitants were shot by order of Count Kielmansegg; previous to the shooting the women and children were separated from them. I saw, that at the moment when the volley was fired one of the men drew a revolver from his pocket and shot upon the soldiers. I was astonished that nobody had taken the weapon away from him. He probably was brought up at the last moment before the execution took place.

Our men, as far as I have seen, did not in any way treat the people cruelly. Quite to the contrary. Thus, f. i., they carried four women, who, on account of recent childbirth, were unable to walk, on mattresses out of the houses from which all the inhabitants had been removed; and took them to a place of safety in the street where our wounded soldiers were lying.

At 7 P. M. I marched with my detachment from Dinant to Les Rivages. When we passed by the last houses of Dinant we again were intensely fired upon from the houses. We had no time to waste on clearing these houses since we had strict orders to evacuate Dinant immediately because of the impending bombardment of the town by artillery.

When we arrived at Les Rivages the bridge building was going on.

We remained here for two days. On August 24, after the bridge was finished we observed several times that our troops which had crossed the bridge and were marching down the river on the western bank of the Meuse were being fired upon from Dinant.

Read, approved, signed.

(Signed) Brink, Lieutenant.

Witness was then sworn.

(Signed) Schweinitz.

(Signed) Lips.

Neufchâtel, February 16, 1915.

Present: Chief Military Court Councillor Schweinitz.
Military Court Secretary Lips as Clerk of the Military Court.

In matters of investigation concerning the events in Dinant vice-sergeant Bartusch appeared as witness:

After he had been informed about the matter in question and about the meaning of the oath, he testified as follows:

My name is Georg Wilhelm Bartusch; I am thirty-three years old, a Protestant, vice-sergeant, drum major of the 1st battalion of Grenadier Regiment (Body Guards) No. 100.

On August 23 I was with the staff of the 1st Battalion at Dinant. We rather slid than ran down the steep hills into the city. One of the inhabitants, the native of Luxemburg mentioned below, told me that they had not believed we would get down safely but that they expected us to be shot on the way. From the beginning we were fired upon from the houses; partly buck shot was used; the fire came from all openings of the houses, from the windows, doors, and loopholes which had been opened between the walls and roofs. Down in the town we looked for a temporary shelter for the battalion staff in a warehouse opposite the prison. From here we attempted to clear the neighborhood of franc-tireurs. All of those civilians who were found in the houses were taken to the prison. Those people who were caught with weapons in their hands were separated and lined up against a garden wall near the open space. There they were shot under orders of Lieutenant Colonel Count Kielmannsegg by a squad of Grenadiers. I do not know exactly how many were shot; it may have been fifty; it may have been one hundred. They were lined up in three or four rows; to my knowledge they were men only. I did not see that women and children were shot. One man attempted to keep a child in his arm, but he was prevented from doing so by a woman who took the child from him. It should be remembered that all this happened in a general disorder and while the people were still firing at us. I think it possible that a number of women and children whom we pushed back from the men fled behind the wall into the garden and that here they lost their lives either by our bullets, which may have pierced the wall, or by hostile shots coming from the other bank of the Meuse. As a matter of fact everybody outside the houses was in permanent danger of being killed. Right in the beginning when we arrived at Dinant a thirteen year old girl received a shot into the stomach from the other side of the Meuse. She was bandaged by two German stretcher bearers.

In the street two grenadiers brought a man up and said that he had wounded Captain Legler. We tied his hands with a rope and took him along, but he was snatched from us in the ensuing street fight by some civilians. Later on I recognized him among the men lined up to be shot by the marks which the rope left on his hands.

In a house which had already been searched, but which I went over again with a grenadier, I found behind a secret door two men, about twenty years of age, each of whom was holding a revolver in his hand, from which shots had already been fired.

Among the men who had been removed to the prison was a well-dressed man of about seventy years. I noticed that he carried something below his vest. When I reached for it he said, "purse." I opened his vest and drew forth a small revolver from which likewise a shot had already been fired. As far as I know this old man was not shot with the others. Judging from the continuous firing practically all of the inhabitants of Dinant must have participated in the shooting.

When we busied ourselves about the wounded thirteen year old girl, her father, a Luxemburger, living in Dinant, who spoke broken German, said that in Dinant parents had given their children of ten and twelve years of age revolvers to shoot the "Allemands."

In the prison we found about eight pistols and as many sabres as well as a cigar box full of paper cartridges filled with buck shot.

Read, approved, signed.

(Signed) Bartusch.

Witness then sworn.

(Signed) Schweinitz.

(Signed) Lips.

ANNEX C-15

Woods, S. W. of La-Ville-aux-Bois, February 5, 1915.

AFFIDAVIT.

Rifleman Korner of the Fusilier Regiment "Prinz Georg" No. 108 was ordered to appear, and under oath made the following affidavit:

My name is Hugo Korner, I am 21 years of age, a Lutheran, glass-cutter by trade; and at present rifleman in the 11th company of Fusilier Regiment "Prinz Georg" No. 108.

I was one of twelve men who under command of Lieutenants Gausser and Berger had been ordered to arrest the civilians of Dinant who took up arms against the Germans. From a building under construction we observed that civilians were firing from a house upon us. We surrounded the house, forced our way in and arrested six male civilians.

All had arms in their possession but wore no military emblems. Two of them were young men of perhaps 18 years of age, another one was an elderly man with gray hair. I know nothing of any alleged cruelties which German soldiers are said to have inflicted upon the inhabitants.

Read, approved, signed.

(Signed) Körner.

The witness was sworn.

(Signed) Lossow,

Lieutenant and
Court officer.

(Signed) Schubert,

Vice-Sergeant-at-arms and
Military Court Clerk.

ANNEX C-17

La Malmaison, December 9, 1914.

Present: Military Court Councillor Näumann.
Military Court Clerk Schwarzbach.

In matters of the investigation into the violations of international law perpetrated against the German troops, first class private Säring, appeared as witness and after having been impressed with the significance of the oath, testified as follows:

My name is Johann Georg Säring, I am 22 years old, a Lutheran, locksmith by trade, and a first class private in the twelfth company of Infantry Regiment No. 182.

On Sunday, August 23, 1914, at Dinant I observed during the forenoon the arm of a man protruding out of a first story window of the pharmacy. The hand held a revolver, with which we soldiers were shot upon. I distinctly saw the Red Cross band on the arm. I smashed the locked door with an axe, and children, women, an elderly man, and at last the man with the Red Cross band on his arm came out. This man was taken before Colonel Franke, while the other civilians were held in a corner.

We then hurried toward the church in which civilians had been gathered. I am absolutely certain that we were fired upon from the church steeple. This could have been done only by inhabitants, as hostile soldiers were not seen all day.

Read, approved, signed.

(Signed) Johann Georg Säring.

The witness was thereupon sworn.

(Signed) Näumann.

(Signed) Schwarzbach.

La Malmaison, December 9, 1914.

Present: Military Court Councillor Näumann.

Military Court Clerk Schwarzbach.

In matters of investigation concerning the violations of international law committed against German troops first class private of reserves Einax of the 11th company of infantry regiment No. 182 appeared and after being informed of the meaning of the oath testified as follows:

My name is Karl Hermann Einax, twenty-eight years of age, a Protestant, cooper by profession, first class private since November 21, 1914.

On Sunday, August 23, 1914, at 2 P. M., when we marched into Dinant, we were fired upon. It was found that the firing came from the other side of the Meuse. We then entered the houses and searched them. I saw that an elderly looking man with gray, unkempt hair, came out of a house which our troops had entered, and shot at us. Major Lommatsch who was severely wounded died in the afternoon as the result of his injuries.

When being questioned witness testified:

I also plainly observed that eight rifle barrels stuck out of the attic windows of a house on the main street, from which shots were fired upon us. Also from the tower of the church and from the cellars people were shooting upon us. They all were civilians.

I remember distinctly that from one house from which shots were fired, eight men—among them the priest with the red cross band on his arm—were brought out.

Our Captain, Baron von Gregory, himself had entered the house from which the priest was brought out. The captain is in Freiberg at present.

Read, approved, signed.

(Signed) Karl Hermann Einax.

Witness was then sworn.

(Signed) Näumann.

(Signed) Schwarzbach.

ANNEX C-32

December 16, 1914.

Present: Lieutenant Franke as Court Officer.

Sergeant-major Lange as Military Court Clerk.

Sergeant-major (acting officer) Bauer testifies as follows:

My name is Kurt Bauer, twenty-four years of age, a Protestant, now sergeant-major of the reserves, in the 6th company of the infantry regiment No. 178, in private life student of architecture.

When the chief of my company was shot at in Leffe from a factory my detachment received order to clear the factory and the houses lying behind it from the enemy. I advanced with my men and clearly perceived that civilians shot with pistols upon us from the attic windows and from holes in the roofs of the factory and of the houses as well as from behind the shrubbery on the hill. We stormed the houses and set them afire. I also saw that even from the monastery shots were fired upon us although the Red Cross flag was raised above it.

Read, approved, signed.

(Signed) Kurt Bauer.

Witness sworn.

(Signed) Franke.

(Signed) Lange.

ANNEX C-42

Proviseux, March 2, 1915.

Present: Landwehr Lieutenant Oertel as Court Officer.

Vice-sergeant Major Sommerberg as Clerk of the Court.

Grenadier Schlosser appeared and, after having been instructed as to the meaning and sanctity of the oath, deposed as follows:

My name is Franz Otto Schlosser, my age is twenty-two, I am a grenadier of the 10th company of Grenadier Regiment No. 101.

On August 24, 1914, I rowed across the Meuse in a boat near Dinant with Major Gaisewsky and Lieutenant von der Decken and men of the 10th company of Grenadier Regiment No. 101. When about half way across a strong fire was directed at us from various sides. On the other shore the Major ordered us to occupy a ditch where we were fired at from the houses to our left and right. I noticed with my own eyes that in one of the houses several women stood in a window and shot at us. Thereupon the major gave orders to get the tenants out

of the buildings and we brought out about twenty people, I think only women and children. They were taken down to the Meuse as prisoners. Then we put fire to the houses.

Read, approved, signed.

(Signed) Franz Otto Schlosser.

Thereupon witness was sworn.

(Signed) Oertel, Lieutenant
and Court officer.

(Signed) Sommerberg,
Vice-Sergeant-Major and
Clerk of the Military Court.

ANNEX C-48

Neufchâtel, March 2, 1915.

Present: Military Court Councillor Schweinitz.

Military Court Secretary Lips as Clerk of the Court.

In matters of the investigation of the events at Dinant Major Steinhoff appeared as witness and deposed:

My name is Fritz Eugen Steinhoff, my age is 48, I am a Major and Commander of the Pioneers of the XII Army Corps.

On August 23rd, 1914, towards 5 P. M., I arrived at the ferry landing near Les Rivages. No troops had arrived as yet except a pioneer officers' patrol. I went to the shore and thence about 100 meters in the direction of Anseremme. Various soldiers called my attention to the fact that shots were being fired from the bridge and from houses near the bridge. Wounded soldiers lay in the street. I, too, was fired at, and other soldiers cautioned me not to go any further.

I walked back to the ferry landing where I met Colonel Meister, whom I informed of what had happened. He had a detachment clear up the neighborhood and a considerable number of men and women were rounded up. The men were stood up against a wall near the ferry landing; the women and children a little further down stream. The ferrying and the bridge construction now proceeded. When the bridge had advanced to about 40 meters a lively rifle fire commenced, coming from the houses in Les Rivages and the cliffs above, and aimed at the grenadiers waiting on the other side and the pioneers at work on the bridge. I myself heard the whizzing of what I estimated as about one hundred bullets. A great confusion followed. Everybody was looking

for cover, and work was interrupted. The grenadiers too, who stood crowded together, were greatly alarmed. I walked back to the Meuse through a garden plot to look after the pioneers. At this moment the hostile fire was renewed and simultaneously I heard a few short volleys in the immediate vicinity.

I then walked back again and saw a heap of corpses where the captured men had stood before. From that time on the franc-tireur fire ceased entirely, and the bridgework proceeded without interruption.

Read, approved, signed.

(Signed) Steinhoff.

Witness sworn.

(Signed) Schweinitz.

(Signed) Lips.

ANNEX C-52

Orainville, March 17, 1915.

Present: Sergeant Richter as Military Court Clerk.
Reserve Officer Kleberger as Court Officer.

The soldier Steglich being summoned appeared as a witness. The solemnity of the oath was impressed on him, and he deposed as follows:

My name is Willy Steglich, I am twenty-two years of age, a Lutheran, and a workman in the building trade at Muegeln, at present a soldier in the machine gun company of Infantry Regiment No. 103.

I together with Vice-sergeant Bartsch and a few other men, among them some Marburg Chasseurs, fetched and freed from a house in Dinant a number of inhabitants who had been buried under ruins by the explosion of a grenade. They were men, women and children. We took them to a house where, by order of an officer of the Marburg Chasseurs, they were given protection and nursed by two sisters of the Red Cross.

In different houses in Dinant we found great quantities of small-shot ammunition piled up near the windows. Everywhere the bottom panes were broken, evidently for the purpose of placing a rifle in the aperture.

Read and approved.

Witness was sworn.

(Signed) Kleberger, Reserve Officer and Court Officer.

(Signed) Sergeant Richter as Military Court Clerk.

Woods, southwest of La Ville-aux-Bois, February 5, 1915.

By order of the Rifle (Fusilier) Regiment "Prinz Georg" No. 108, Corporal Lauterbach appears, and, cautioned to tell the truth, deposes as follows:

My name is Paul R. Lauterbach, my age twenty-seven, I am a Lutheran, and a mechanic by trade, at present a corporal of Company 10 of the 108th Riflemen (Fusiliers).

After leaving the fort with the company and reaching the street connecting Sorinnes with Dinant, I plainly saw a woman standing in the window and firing a rifle at the German soldiers. The woman was immediately shot by a German soldier and her upper body dropped on the window sill.

Rifle volleys were fired from a very big building situated on the west shore of the Meuse. A Red Cross flag was flying from the top of the building.

South of the road leading from Dinant to Sorinnes along the Meuse, at a place which I am unable to designate just now, I found the charred body of a German sharpshooter whose feet had been tied together with a wire.

Read, approved, signed.

(Signed) Paul R. Lauterbach.

(Signed) Lossow, Lieutenant
and Court Officer.

(Signed) Schubert, Clerk
of the Military Court.

La Ville-aux-Bois, near Pontavert, March 6, 1915.

Present: Lieutenant of the Reserve Dachsel as Court Officer.
Corporal of the Reserve Steiger as Clerk of the Court.

By order of the Imperial German Court of the Government-General of Belgium, Corporal Rost of the sanitary corps appears as witness, and, cautioned to tell the truth and duly instructed as to the importance and sanctity of the oath, deposes as follows:

My name is Paul Richard Rost; I am a corporal of the sanitary corps of the 108th Riflemen (Fusiliers), twenty-five years old, a Lutheran.

While rescuing wounded soldiers in Dinant the night of August

21-22nd, all that I observed was that behind the men who shot from the windows, partly in shirt sleeves, the heads of women were also visible.

The next day I saw among the dead that were arrayed in the castle yard in Sorinnes, the body of first class private Kirchhoff of my company. His skull was crushed in. The wound could only have been caused by a blunt instrument. The skull was almost entirely crushed.

On August 23, while passing an isolated estate near Dinant, not far from the road leading from Sorinnes to Dinant, I found the almost entirely charred body of a German soldier under a burnt heap of straw. To judge from the articles of equipment nearby he must have been a sharpshooter. Some of my comrades told me afterwards that another sharpshooter had been found in a field near Dinant whose face was charred. The estate where I found the sharpshooter had been equipped by us as a dressing station.

Read, approved, signed.

(Signed) Paul Richard Rost.

Witness is duly sworn.

(Signed) Dachsel.

(Signed) Steiger.

ANNEX C-63

There appears Private Trenkler of Company 12 of Infantry Regiment No. 178 and declares:

My name is Max J. Trenkler, born December 31, 1891, at Markersdorf, a Lutheran. At present I belong to Company 12 of Infantry Regiment No. 178.

I saw that civilians were shooting with small-shot, also that children behind the convent were shooting at our soldiers.

(Signed) Max Trenkler.

(Signed) Ryssel,

Lieutenant and
Court Officer.

(Signed) Schulz,

Vice-Sergeant Major and
Clerk of the Military Court.

Trench Cover of Infantry Regiment No. 178.

March 3, 1915.

Present: Chief Military Court Councillor Schweinitz.

Military Secretary Lips as Military Court Clerk.

At the hearing re the events of Dinant, there appears as witness Private Max Julius Trenkler, and, after the above deposition had been read to him, declares:

Statements as to my person are correct; in civil life I am working in underground constructive work.

My statement is correct.

On August 23, 1914, in the afternoon, we were lying in reserve on the northern slope of the Leffe valley opposite the convent situated in the forest. There we saw how a boy was shooting at us from a grove of fir trees on the opposite slope, behind the convent. The boy was using smallshot, which found its mark near us. We called out to some comrades in the road to go and look for the boy behind the convent. In due time they caught him. Where they took him I do not know.

Read, approved, signed.

(Signed) Max J. Trenkler.

Witness thereupon was duly sworn.

(Signed) Schweinitz.

(Signed) Lips.

ANNEX C-66

Sinz Barracks, February 25, 1915.

Present: Lieutenant of the Reserves Glaser as Court Officer.

Vice-Sergeant of the Reserves "Referendar" Richter as Clerk of the Court.

Rifleman Kaehler of the 1st company Riflemen (Fusiliers) Regiment No. 108, after having been duly instructed as to the sanctity and meaning of the oath, declares as follows:

My name is Emil Robert Kaehler, my age twenty-two, I am a Lutheran, and a plumber by trade, and since October, 1914, am serving in the 108th Riflemen (Fusiliers). On August 23rd, 1914, I saw a civilian in a street in Dinant, about twenty-seven years old, who wore the badge of the Geneva Red Cross around his left sleeve, shooting with a revolver on a sapper from the doorway of a house, without hitting the sapper. Thereupon I shot the civilian dead. The sapper took the revolver from him.

Kaehler thereupon was duly sworn.

Read, approved, signed.

(Signed) Kaehler.

(Signed) Glaser,
Court Officer.

(Signed) Richter,
Clerk of the Court.

La Ville-aux-Bois les Pontavert, February 2, 1915.

Present: Lieutenant of the Reserves and Battalion Adjutant Dachsel as Court Officer.

Corporal Steiger of the Reserves, as Clerk of the Court.

Upon order there appears assistant surgeon A. W. Köckeritz, and, cautioned to speak the truth and instructed as to the meaning and sanctity of the oath, deposes as follows:

My name is Albin Werner Köckeritz, I am assistant surgeon of the Reserves, twenty-eight years old, a Lutheran.

During the skirmish in the night from August 21-22, 1914, I was at Dinant. I did not observe any cruelties on the part of our troops against the inhabitants of the town who fired from their windows with shotguns and buckshot. Neither did I observe any excesses whatsoever against the citizens during the course of the further battles around Dinant which lasted until August 23, when we entered Dinant.

It is not true that the bodies of the slain civilians who took part in the fighting were mutilated in any manner. I did see, however, the charred body of a German cavalry man near Dinant, who probably had been shot from ambush. The body lay on a grate, to which it was fastened with wires. The spot where I found it was near the base hospital of the 2nd and 3rd Battalion of the 108th Riflemen, and of the 1st Field Artillery Regiment No. 12 west of Dinant.

Shots fired from a hospital flying the Red Cross flag were lighting up the other side of the Meuse.

Read, approved, signed.

(Signed) Köckeritz.

Witness sworn.

(Signed) Dachsel.

(Signed) Steiger.

ANNEX C-72

Present: Military Court Councillor Näumann.

Military Court Clerk Schwarzbach.

La Malmaison, December 8, 1914.

In matters of investigation of offenses committed against German troops contrary to the law of nations, Ostmann, Sanitary Sergeant of the 5th company of Grenadier Regiment No. 101 appeared as witness. The solemnity of the oath was impressed on him, and he gave evidence as follows:

My name is Eduard Ostmann. I am twenty-six years of age, a Protestant, and a merchant employee.

In the evening of August 23, 1914, when darkness set in, my company had reached Les Rivages. We stopped at the entrance of the place in the street. Since no sanitary sergeant was further ahead, I went as far as the place where the Meuse was to be crossed and stayed near it in the middle of the street. There was nobody close to me in the street. Whilst I confronted the houses where civilians were standing, somebody fired from a house to my right. I felt a sharp pain under my right eye and felt the blood trickling down my cheeks.

The surgeon attached to my battalion, Surgeon Captain Dr. Haupt, examined my wound and declared that a grain of shot had grazed me. The shot could only have been meant for me for I was the only man present in a space of two meters around me.

I had put on the badge of the Geneva Cross visibly and according to regulations.

Read, approved, signed.

(Signed) Otto Eduard Ostmann.

Witness was sworn.

(Signed) Näumann.

(Signed) Schwarzbach.

ANNEX C-73

Present: Military Court Councillor Näumann.

Military Court Clerk Schwarzbach.

La Malmaison, December 5, 1914.

In matters of investigation of the offenses committed against German troops contrary to the law of nations, Müller, private in the transport service of the reserves, 2nd field engineer-company, engineer battalion 12, appeared as witness.

The solemnity of the oath was impressed on him, and he gave evidence as follows:

My name is Erwin Müller. I am twenty-six years of age, a Protestant and a fruit grower.

On August 25, 1914, in the afternoon Sergeant Fehrman and I noticed the corpses of a number of male civilians and one woman lying outside a house in a cross street at Dinant. We entered the house. In the room to the right lay an officer, lieutenant of Infantry Regiment No. 182, a cushion below his head. His head and part of his chest were covered with a white cloth. Two soldiers lay on one side of him, and

one soldier on the other. All three soldiers wore the uniform of regiment No. 182. In the adjoining room a sergeant and five soldiers of the same regiment lay likewise dead.

I raised the cloth from the dead lieutenant's body and noticed that he had a gun shot wound in his head. I noticed no further wounds on him.

By the side of the lieutenant lay a soldier with his abdomen exposed. He had been shot in the abdomen. Blood was coming from a gash which extended at least 10 centimeters from the larynx, sideways to the left; the edges of the wound stood about one centimeter apart. The blood had trickled down to his side. In my opinion it could only be a wound caused by cutting.

There was a soldier in the other room who also had his abdomen exposed. He had a wound about three centimeters wide in his abdomen. The wound was due either to a cut or to a stab. The clothes of the other soldiers were not disarranged, they had all gunshot wounds.

I had the impression as if the officer, the sergeant and the men had been taken by surprise in their quarters during sleep. I think so because I found the officer with a sofa cushion, and the others with a blanket or their knapsack under their heads. Their rifles stood in a corner.

Reserve Engineer Kretzschmann was in the house together with Fehrmann and myself.

Read, approved, signed.

(Signed) Emil Erwin Müller.

Witness was sworn.

(Signed) Näumann.

(Signed) Schwarzbach.

ANNEX C-74

Summoned by the Regiment "Prince George" No. 108 of the Sharpshooters Fusiliers, Surgeon-Captain of the Reserves, Dr. Holey, appeared and after being admonished to speak the pure truth deposed as follows:

My name is Franz Alfred Holey. I was born on September 21, 1878, I am a Lutheran and in private life a medical practitioner, at present Surgeon-Captain and attached to the 3rd battalion of the Sharpshooter Fusiliers, Regiment No. 108.

On August 23, we advanced towards Dinant. That day, just outside Dinant, Major von der Pforte called my attention to the dead body of a German soldier whose hands and feet were fixed, by means of a wire, to poles which had been hammered into the ground. The corpse was completely charred; some combustible liquid had apparently been

poured over it. To judge from the marks on the body (Demarkationslinien) the man must have been burned alive. The buttons and other remainders of the uniform prove that it was a German soldier.

Read, approved, signed.

(Signed) Dr. Holey, Surgeon Captain of the Reserves.

Witness was sworn according to regulations.

Further observation: The corpse was found near an estate in the neighborhood of the marble-quarries.

(Signed) Lossow, Lieutenant and Court Officer.

(Signed) Schubert, Vice-Sergeant and Military Court Clerk.

ANNEX C-78

Prouvais, February 24, 1915.

Summoned by Field Artillery Regiment No. 12 there appeared this day Major von Lippe of the Light Munition Column of the 2nd section of the 1st Field Artillery No. 12, to be examined under oath as witness to the events at Dinant. Major von Lippe declared:

My name is Fritz von Lippe, my age forty, I am a Lutheran, by occupation a farmer; enlisted on August 4, 1914 with the light munition column of the 2nd section of Field Artillery Regiment No. 12.

On August 23, 1914, I saw behind the firing line of the 2nd section of the 1st Artillery Regiment No. 12 the bodies of a rifleman and a sharpshooter. One of the bodies had the eyes gouged, the other lay half-charred under a heap of straw with its hands and feet tied.

Major von Lippe then swore to the truth of his statement, after having been impressed with the meaning of the oath.

Read, approved, signed.

(Signed) Fritz Lippe.

(Signed) Haase, First Lieutenant and Court Officer.

ARMY DEPARTMENT.

Military Bureau for the
Investigation of Offenses
Against the Laws of War.

**The Revolt of the Belgian People
at Louvain**
from August 25-28, 1914.

SUMMARY REPORT.

I. The revolt of the city of Louvain against the German troops of occupation and the punitive measures taken against the city have stirred the whole world.

The reason was, first of all, that Louvain is a city noted for its ancient university and its precious monuments and objects of art, the fate of which was of far-reaching interest. The principal reason, however, was the fact that the enemies of the German people, especially the Belgian Government through the press and its foreign diplomatic representatives and through commissioners, sent everywhere, disseminated news throughout the world adapted to prejudice public opinion against the Germans.

The Commission appointed by the Belgian Government to investigate violations of international law and offenses against the laws and customs of war, attempted with all means to put the blame for the disturbances in Louvain on the German troops. In several reports the commissioners accuse the German troops of having, without any cause whatever and in violation of international law, attacked the, presumably, unsuspecting and peaceful citizens of Louvain, many of whom were ill-treated and wounded while a large number was killed; the city was said to have been pillaged, devastated, set afire, and even completely destroyed.

These accusations are false; it has been established, on the contrary, that the German troops were not guilty of objectionable conduct and did not commit acts which were contrary to international law. It is the civilian population of Louvain and vicinity who stand charged with having disregarded the provisions of international law, and with having caused through their thoughtless and criminal actions, damage to the German army as well as to the city of Louvain.

II. According to the investigations which were instituted the happenings in Louvain were as follows:

The first German troops marched into Louvain on August 19, 1914, and were billeted about the town. The relations between the population and the troops whose numbers and composition were subject to constant changes during the following days, were at first quite cordial. Not one excess occurred. The German troops conducted themselves, as even the Belgians admitted—in exemplary manner. But the population too, showed such friendly demeanor, that many of the German soldiers went about unarmed, because they felt quite safe in Louvain.

This peaceful picture suddenly changed on August 25, 1914. On this day Belgian troops sallied forth from Antwerp in the direction of Louvain. The German troops stationed in and about Louvain advanced to meet them; additional troops were sent from Liège over Louvain to the front. Fighting occurred on the road to Malines at Bueken and Herent in the vicinity of Louvain. The engagement ended with a severe defeat of the Belgians who in the evening were forced back toward Antwerp.

The inhabitants of Louvain who, even after the occupation of the city, had maintained secret communication with Antwerp and knew therefore of the impending sortie of their countrymen, had evidently not counted upon this result of the fighting. They had the mistaken idea that the Belgian army, supported by British auxiliary troops, ought to be successful in breaking through the German lines, and they regarded the temporary advance of the Belgian troops as a sufficient success and encouragement to warrant their own participation in the fighting.

Before the battle was decided, toward 7 o'clock in the evening, a German "Landsturm" company marched back from the Northwest exit of Louvain to the East side of the city, to take up its position in the square in front of the railway station. The city appeared still quiet when they marched through. A few ammunition and transport columns and several small detachments of German troops were in the streets. There were no especially large bodies of German troops in Louvain at this time.

Among the people of the city who watched the "Landsturm" company march through the streets were an unusually large number of young men, evidently of the better classes. They stood in small groups about the streets and gradually withdrew into the houses. Women and children were not visible.

The return of the "Landsturm" company and of other small military detachments evidently led the citizens of Louvain to believe that the Germans had been defeated and were retreating, and that gave the external impetus to the execution of a plan, evidently laid long beforehand, to annihilate the Germans during their retreat through the city. Shortly after the "Landsturm" company had arrived and made camp on the station square, toward 8 o'clock in the evening (German time), sky rockets were sent up in the city. Many of the soldiers observed first a green and then a red rocket appearing in the dark evening sky.

Simultaneously with this signal the inhabitants of Louvain opened a violent fire in various parts of the city upon the German troops on City Hall Square, Station Square and in the intervening section of the city. Rifles, revolvers and pistols were used, and the shooting was done from cellars, windows and chiefly from attics. In some places the

firing sounded as if machine guns were also being used. The German soldiers were completely taken by surprise. Many of them were wounded and some killed, before they could rally to defend themselves. Much confusion was caused among the transport and other columns which were lined up in the streets, because the horses which were either scared through the firing, or hit by bullets or small-shot, tore themselves loose and raced through the streets.

A particularly heavy fire was directed upon the market place, where the first Echelon of the "General-Kommando" was stationed. Several officers and men were wounded and killed. The staff of the "General Kommando" alone lost five officers, two clerks, twenty-five men and ninety-five horses.

The heaviest firing raged in "Station Street" and near the station. The "Landsturm" company, posted there between baggage wagons, was forced to retreat into the station for better cover. Heavy firing was also directed against the troops who had taken position on the "Place du peuple."

The horror of this attack was increased by the darkness which enveloped the city because the street lighting system had been destroyed. The attacked troops attempted to concentrate, assumed the defensive and returned the fire. When the firing ceased momentarily the troops, acting upon orders from their superiors, forced their way into the houses from which shots had been fired, and commenced a search for the culprits. Some of these were killed during the fray, others were captured with arms in hand, and shot, according to the customs of war, after they had first been convicted of illegitimate participation in the fight. Many effected their escape through rear exits of the houses, and took part at other places in the street fighting which would break out again and again.

While the fighting was in full swing, General von Boehn, the commander of the XI Reserve army corps returned to the city from the field. This was around 10.30 P. M. On his way to the City Hall, several shots were fired at him. To put an end to the street fighting General von Boehn ordered a "Landwehr" brigade to advance into the city and had the Mayor and other citizens of standing seized as hostages. By his orders the hostages were led through the streets, and compelled to call on the citizens to cease hostilities. Although severe punishment was threatened, this request was not heeded. The population continued making attacks upon the troops. In their anger the people even shot at physicians, at members of the sanitary corps, and at sick and wounded who were under the protection of the Red Cross. They had so little regard for the provisions of the Geneva Convention that they fired also from houses which flew the Red Cross flag, and that they even directed their fire on a hospital. In several cases the use of explosives and

bombs has been testified to and it has also been proven that boiling tar was poured on the German troops.

In some instances the population resorted even to abominable cruelties against German soldiers who had become defenseless. Private Hoos discovered in the cellar of a house the body of a German soldier whose abdomen had been ripped open with a sharp knife; so that the vitals protruded. Another German soldier was so horribly mutilated by the fiendish populace that he died as a consequence.

In view of these brutal attacks the German troops were compelled to resort to energetic countermeasures. Carrying out their warnings inhabitants who had participated in the attacks were shot and the houses from which shots had been fired were burnt down. The spreading of the fire to other houses could not be checked and thus several rows of houses burned down. In this manner the Cathedral, too, caught fire. A further spread of the conflagration was stopped by our troops who, under direction of their officers, heroically worked to extinguish the flames. It is due to their efforts that only a comparatively small section of the city—the section situated between the station and City Hall Square—suffered from the fire. The magnificent City Hall was saved thanks to our soldiers. The fire from the burning houses illuminated the night and made it possible for our troops to meet the attacks more effectively. Thus, gradually the firing subsided; only a shot here and there was heard during the rest of the night. But the next morning the attack was vigorously renewed, and the disorders continued all day and lasted through the following day, although the hostages were again led through the streets on August 26th and 27th, to counsel the people to keep quiet.

III. Besides the sky-rocket signals, which had been observed at the beginning of the attack, the following facts let it appear that the revolt did not start on the spur of the moment, but was the result of long and careful planning.

(1) Arms in considerable quantities were found, although the Mayor declared that they had been surrendered as early as August 19th.

(2) It was observed that a large number of young men came to Louvain and scattered over the city. It was easy for them to find quarters in the hotels and in the bachelor rooms left vacant by the students.

(3) Numerous supplies of cartridges and explosives, which had been hidden by the population, exploded in the burning houses.

The attack, which was conducted with great stubbornness for several days, must therefore have been premeditated. The long duration of the sedition against the German military authority precludes the idea that it was a planless action of a few excited individuals. The leadership of the treacherous revolt must have been in the hands of higher quarters. Everything points toward the participation of an official organization. Louvain was the headquarters of the Chief of the so-called "Garde-

Civique." He had been in the city immediately before the outbreak of the rising and the revolt was started with the despatch to Louvain of untrained young men who wore no distinctive emblems and who, together with the soldiers who had been transformed into civilians, hid themselves in the houses, for the purpose of firing, unseen, upon the apparently retreating German troops at the proper moment. Even the Belgian Government has never dared to assert that regular troops of the Belgian army co-operated in the venture. Thus we have here the treacherous action of franc-tireurs who were readily given shelter and places of concealment by the population of Louvain. The misdeeds of the "Garde-Civique" stand revealed to the whole civilized world by the typical case of Louvain. Unfortunately also a number of clerics permitted themselves to abuse their influence over the civilian population and to induce them to shelter the franc-tireurs; it has been ascertained that a number of clerics even actively participated in the revolt. He who considers that the authentic verifications of the German Government in the case of Louvain are not based on the hurried examination of greatly excited, mostly ignorant persons, by equally excited inquisitors, but have their foundation upon thorough and calm investigations, may draw his own conclusions as to the merit of other similar accusations raised against the German troops by the Belgians.

In the case of Louvain the official Belgian Investigation Commission attempted to explain the inconvenient but irrefutable fact of the shooting in the streets by claiming that it had been caused by German troops firing upon one another. The commission suppressed the fact, however, that the shooting lasted for days and was constantly renewed. With this simple statement the threadbare attempt to explain the start of the street riots, collapses.

While the Belgian Investigation Commission passes in short order over the main question under consideration, that of the violations of international law, it attempts by individual charges to cast aspersions upon the German army. If it has not been possible on the German side to trace any of these cases, it must not be overlooked by those who want to judge impartially, upon what testimony the accusations are based, which in comparison with the main question as to the cause of the street revolts, are of secondary importance. They were made by the same persons on whose testimony the assertions, scattered broadcast over the world by the Commission, were based that Louvain was totally destroyed and that, as we read in the third report of the Commission, only the City Hall and the station building remained intact! The actual extent of the conflagration is shown in the accompanying sketch (Annex D 50)—not even the sixth part of the city, and chiefly only that section situated near the station, was consumed by fire. The truth of one of these calumnies can be actually proved because of

its foolish attempt to cast aspersions upon the whole German military administration. According to the fifth report of the Commission "a large portion of the booty (alleged to be the result of pillaging) was transported on military wagons and later sent to Germany." This assertion is a pure invention; the army administration determines what shall be transported on military wagons or railroad cars, and it never issued such an order.

How little value the Commission itself attributes to the stories which were brought before it, and which it unfortunately circulated without verification, is demonstrated in the fifth report which mentions the execution of Bishop Coenraets and Father Schmidt. After dwelling on, what the Commission itself calls the "alleged" execution, the report unhesitatingly adds the story that the involuntary spectators of this (alleged) scene were compelled to show their approval by handclapping. A stronger admission cannot be made that the hurriedly gathered material is published for sensational reasons, no matter whether truth and justice are ignored. In this connection it is of interest to know—what can hardly have remained concealed from the Belgian Commission—that Mr. Coenraets is living safe and sound to this day in the home of Professor Dr. Toels in Jirlen, Holland.

Berlin, April 10, 1915.

Military Bureau for the Investigation of Offenses against
the Laws of War.

(Signed) Major Bauer.

(Signed) Dr. Wagner, District Court Councillor.

Noyon, September 27, 1914.

COURT OF THE GOVERNMENT GENERAL IN BRUSSELS.

Present: Dr. Ivers, Military Court Councillor as Judge.

Reisener, Military-Court Secretary, as Clerk of the Court.

The commanding General of the IX Army Corps, General of Infantry von Boehn made the following deposition:

My name is Max von Boehn, I am sixty-six years old and a Lutheran.

Witness was informed that the Governor-General, General Field Marshall Baron von der Goltz, had ordered a judicial investigation in order to ascertain whether any German military persons, and if so which, were culpably responsible for the burning of the city Louvain. He deposed as follows:

While the first echelon of the General Command arrived in Louvain on August 25, the orders which had been received were first briefly discussed and the reports for the Chief Army Commander relative to the time of arrival of the IX Reserve Army Corps were prepared. The disembarkation was not yet completed, when the 18th Reserve Division reported that the enemy was advancing against Bueken to attack on the road from Malines to Louvain. I immediately proceeded with the Chief of the General Staff and several members of the staff in an automobile to the field of operations. The principal participants in the fighting were the 18th Division of reserve and a part of the 17th division of reserve. The losses were only very small.

While the individual bodies of the 18th reserve division were advancing, the Hussars and a part of the Infantry were subjected to heavy firing by the inhabitants at Herent as well as from the houses south of Bueken. The losses were considerable. Persons who were caught in the act of firing were shot, and their houses set afire.

When I was about to return to Louvain with members of the staff after dark, the 27th "Landwehr" Brigade, camping north of the city, warned us not to proceed, as Infantry fire had been heard there. As it was necessary, however, to concentrate the whole general staff in Louvain, I drove in the automobile into the city where we were soon fired upon. I ordered the above mentioned "Landwehr" Brigade to enter the city and went with a part of the Brigade to the City Hall, where the Mayor and others were taken as hostages. They were ordered to proclaim all over town, under escort of a Company of Infantrymen, that the hostages would be shot and that the city would be set afire by artillery, if the firing from the houses were to continue.

Now I also learned that the first echelon of the General Command, after its arrival in the city, where it was being held in readiness on the Market Square, had been suddenly attacked with a murderous fire from the houses surrounding the Market Square. Although the officers and men answered the fire, Captain von Harnier, Captain von Esmarch, Captain von Raven, first Lieutenant von Oertzen, Lieutenant Risler and other officers and men were wounded or killed. Almost all the saddle horses were shot, wounded or ran off and could not be captured again. The total loss of the staff of the General Command in dead, wounded and missing was: five officers, two officials, twenty-three men and ninety-five horses with full equipment. Several houses near the Market Square had already been set afire. Shots had also been fired from the hotel, into which the baggage of the staff had already been brought. I decided therefore to take the General Command to the station and remain there. The station had to be held because troop transports were arriving here continuously. The first thing that was done was to put fresh horses to the wagons and to reform the staff. Colonel Stubenrauch, Commander of the munition train, supported by Captain von Kretschmann, the first Adjutant, succeeded during the night, despite considerable difficulties, to completely readjust the staff and to get it ready at the station. A part of the "Landwehr" Brigade and a company of Infantry Regiment No. 163 remained at the station all night for the protection of the subsequent disembarkations. The main baggage train of the Reserve Hussar Regiment No. 6 was fired upon from the houses as it departed from the barracks, and was compelled to return there. When the Hussar regiment was again in the barracks in the evening, shots were fired into the barracks, from all the houses surrounding them. Quiet was established only after all the houses had been set afire and their occupants, wherever they were found with arms in their possession, had been shot. Numerous explosions of cartridge supplies and explosives proved that the attack had been carefully premeditated. It was possible for the regiment to leave the barracks without losses on the following morning but a patrol of the first squadron was attacked by about fifty civilians near Rotselaer, as a result of which two hussars and one horse were killed. Wherever troops showed themselves in the streets they were fired upon. An especially heavy fire was directed toward midnight from the roof tops of the houses surrounding the station, upon the troops camping there and upon the General Command. The proclamation of the Mayor had therefore been without avail. The only thing that could be done under these circumstances was to shoot the civilians, who had been caught sniping out of the houses and part of whom turned out to be disguised soldiers, and to set fire to the buildings. Despite this the troops of the reserve corps, who had also been shot upon from all sides while their train pulled into the station,

were forced into several skirmishes during their passage through the town in the forenoon of the following day, and sustained heavy losses.

On the morning of August 26, I with members of the staff went to the field of action. On this trip we were also fired upon. The second echelon of the General Command remained behind, also the third General Staff officer, Captain Albrecht, whom I ordered to disarm the city. For this purpose the second battalion of Reserve Infantry Regiment No. 75 and a company of Infantry Regiment No. 163 were placed at his disposal. It was threatened that, if the attacks of the population were to continue, the city would be set afire by artillery. On Wednesday forenoon the attacks started with renewed vigor. A systematic disarmament became impossible, and the fine of 20,000,000 Francs, which had been imposed on the city, could not be collected. According to Captain Albrecht, the whole garrison had to be concentrated at the railway station in order to hold it under all circumstances for the arriving troops. He was harrassed particularly by snipers concealed in the houses situated to the east, and in a factory, which had been equipped for defensive purposes. These buildings had therefore to be razed, for even from behind the bare walls, which remained after the fire, the shooting was renewed. The population which had taken refuge in the cellars, continued the firing from ladders which they had procured. In the tree tops of an alley a great number of armed men of particularly strong and youthful appearances were found. Many among these were recognized as soldiers by their identification marks and by parts of their uniforms which they were wearing under their civilian clothing. Numerous strong explosions caused by cartridge stores and explosives were audible from the burning houses. On the following day, too, the shooting was continually renewed. Captain Albrecht requested the population again through two clergymen to be quiet, but this attempt also was in vain. When the sedition became still more aggravated on August 27 a train of artillery was brought up and several houses were razed. Lieutenant Colonel Schweder, the Commander of the "Landsturm" Battalion Neuss, had been put in charge of this artillery. On August 28 the second battalion of Reserve Infantry Regiment No. 75 was replaced by two battalions of "Landwehr" Regiment No. 53 and a "Landsturm" battery was substituted for the train of artillery. On this day a detachment of pioneers also made a breach into the cloister near Herent, from which our line of communication had been subjected to an especially heavy fire.

Despite all these measures our columns and troops continued to be fired upon until August 28.

After the above testimony Excellency von Boehn gave the following expert opinion relative to the burning of the city of Louvain before military court Councillor Dr. Ivers in charge of the investigation:

The course the fighting took and the severity with which it was kept up, alone indicate the existence of a systematic organization. This is, moreover, conclusively proven by the following facts:

(1) Three hundred rifles were found hidden in a church in Louvain and a large quantity of rifles, revolvers and ammunition were discovered at Herent by the 18th division.

(2) The civilians who were shot as participants in the fighting were largely identified as soldiers.

(3) In the knapsacks of fallen soldiers civilian clothes were frequently found, especially clerical habits. The clergymen themselves led and incited the population. In Bueken for instance, a clergyman gave the signal for firing by stepping out of his church. Although he protested that there were no armed men in the church, five were found. They fired from the roof of the church. These men were all shot.

Vice-Sergeant at Arms Predöhl, of Reserve Hussar Regiment No. 6, reported that he was fired upon by twelve clergymen while he was reconnoitering. After they had been apprehended with the help of members of a field battery column of the III Reserve Corps nearby, they were brought to the III Reserve Corps for the passage of judgment, but the court-martial discharged them, because it could not be established who had done the firing. The men had identification marks, military boots and linen.

(4) During battle uniforms were frequently found lying beside empty knapsacks. But there was no dead body nearby, which indicates that the owner of the uniform must have left in civilian clothes.

(5) Among those who were caught red-handed and immediately shot down, were a number who wore dirty workingman's clothes. But their well kept hands and unusually fine linen proved that the workman's clothes were not their usual garb.

Inhabitants of the town testified that they did not know and had never seen these people in the town. The nucleus of all the franc-tireur-bands was the Garde-civique, whose leader was evidently the commandant of Louvain whose baggage was confiscated in the Hotel Metropole.

It is plain how easy it is for a troop like the Garde civique, whose members usually wear civilian clothing, to change their uniforms into civilian clothes and vice versa, as the occasion demands. Louvain was evidently the centre of this organization, which was best developed here, because the commander was on the spot.

The sortie out of Antwerp on August 25 was evidently the signal for the commencement.

For these reasons the whole population had to be taken away from the vicinity. As far as possible they were sent to Germany as prisoners.

This step had to be taken because Antwerp was not completely isolated, and it would have been possible for these people to rise again and again, which they would have done with the courage of desperation. Had they been sent to Antwerp the situation would, therefore, not have been materially relieved.

Read, approved, signed.

(Signed) von Boehn.

Witness was sworn as to the testimony and expert opinion given.

Closed.

(Signed) Dr. Ivers.

(Signed) Reisener.

ANNEX D-2

Noyon, September 27, 1914.

COURT OF THE GOVERNMENT GENERAL IN BRUSSELS.

Present: Dr. Ivers, Military Court Councillor as Judge.

Reisener, Military Court Secretary as Clerk of the Court.

Major von Klewitz, General Staff Officer of the IX Reserve Corps deposed as follows:

My name is Wilhelm von Klewitz, I was born in Magdeburg on February 3, 1872, and I am a Lutheran.

Witness was told that the Governor General Baron von der Goltz had ordered a court inquiry in order to ascertain, whether any German military persons, and if so which, were culpably responsible for the burning of the city of Louvain. He deposed as follows:

When the staff of the General Command arrived at the railroad station in Louvain, Captain Albrecht, who died in the meantime, and who, as advance officer of the General Command had gone ahead, reported that he had established headquarters at the Hotel Métropole, where the army headquarters had also previously been quartered, and that the city was absolutely quiet. We proceeded to the Hotel Métropole in the city and went from there to our offices. This was toward six o'clock in the evening.

We had just spread out our maps in the office to inform ourselves about the situation, when Vice-Sergeant-Major Fischer came back by auto from the III Reserve Corps and reported that the III Reserve Army Corps had been attacked before Antwerp and requested to be immediately reinforced by the IX Reserve Corps. At that time half of the corps had already alighted and the other half was still aboard the train. The chief of the general staff and myself hastened imme-

dately to the Commanding General. His Excellency drove at once with the members of his staff to the scene of action. All available troops were ordered into action and we succeeded toward nine o'clock that evening to repulse the Belgians. In the meantime the larger part of the officers of the General Command had arrived with their horses which were still being unloaded. It is to be noted that the Commanding General also ordered the troops who had already been quartered in Louvain, to advance to the battlefield.

At nine o'clock P. M. the commanding general, the Chief of the General Staff, and myself returned by automobile to Louvain. The fighting took place near Bueken, seven kilometers north of Louvain. On our return to Louvain, everywhere in the villages between Bueken and Louvain, we met bodies of Landwehr troops who declared that the troops were being fired at in the surrounding villages. We ourselves were witnesses to the fact that in one village all traffic stopped because of the firing out of the houses. All troops warned the Commanding General against going into the city on account of street fighting going on there. But the Commanding General declared that he would not desert his staff alone in the city under fire, and that he was going back to the city. As a consequence we had to get out of the automobile when we arrived in Louvain. The Commanding General, the officers and chauffeurs towards 10 o'clock P. M. walked through the dark streets of the city to the Market Square. Whenever we turned a street corner on our way a flank fire was open on us. Suddenly the Staff Veterinary of the Corps appeared and reported, that the staff of the general command had been attacked, and that the horses had been partly shot, partly run away. He said that the troops had taken up the fight against the houses. Consequently the baggage was safe, and only the horses were gone. We then proceeded to the City Hall where we found a number of hostages, who had been brought in in the meantime. In the presence of the Commanding General, my brother, Lieutenant von Klewitz told the hostages they would be shot if firing in the city did not cease immediately. The hostages thereupon asked permission to make their influence felt in the streets. This was granted and Lieutenant von Klewitz marched with them through the city and admonished the population to be orderly. We then went to the Hotel Métropole. Upon our arrival there we found a civilian lying dead in front of the building. It developed that this man had been sitting in the Hotel Métropole. When the hotel was searched he was found armed in one of the rooms. He had wounded two soldiers, himself been shot at close quarters by the soldiers and thrown out of a window. Not a soul remained in the hotel with the exception of a civilian about whom we know nothing.

After this the Commanding General went afoot through the streets to the railroad station, escorted by a company of Infantry and, in order

to personally conduct affairs, established himself there. The autos of the General Command had also been brought there. For the time being quiet prevailed around the station, but toward 11 o'clock P. M. several shots were fired from the surrounding houses upon the troops stationed at the depot. The fire became more violent and the Commanding General ordered to storm one of the houses. It was taken and set afire, because armed resistance was made. No sooner had the house been set afire, when I personally plainly saw the following occurrence:

I was standing with my back toward the station and watched another house. I saw, how a corner window was lit up, a dark figure appeared at the window and a shot was fired into the street. At the same moment when the shot was fired, I noticed how tiles were raised on the roof of the Hotel Maria Theresia, and a violent fire was opened upon the troops standing on the station square from the roof of the hotel. We at once sought cover. I personally had the impression that we were fired upon with machine guns from the Hotel Maria Theresia; the bullets came simply pouring down on us. On the following morning we were able to establish that machine guns had been used against us, because the effect of the machine gun fire were plainly visible in the main entrance door of the station. The machine gun fire lasted from four to five minutes and was promptly answered by our soldiers, who finally stormed the house and set it afire. In the meantime a great number of wounded had been brought in. Definite orders had been given to set fire to all houses out of which shots were being fired. Many Belgian civilians were caught with arms in their hands; they were to be shot upon orders from the Commanding General. Toward two o'clock the firing subsided. Ammunition supplies were continually exploding in the burning houses. The Commanding General sat in a railway carriage from 2-4 o'clock in the morning. At four o'clock in the morning the army corps went out to give battle. We did not use the main streets but drove through an alley. There I plainly witnessed the following scene:

While I was sitting in the automobile several shots were fired from a cellar at the left, twenty meters away. We fired upon the cellar windows, and the firing stopped. The Commanding General left the automobile and with a revolver in his hand went to the open square in front of the bridge. We then proceeded to the field of operations. The infantry followed behind us. The officer marching at the head of the troops was shot dead by a civilian concealed in a tree, at the identical spot on which we had alighted.

As our line of communication was continually kept under fire, orders were given to forcibly clear the city. Two guns and 150 rounds were sent. The guns were stationed at the station and swept the streets with shells. In this manner the district in the neighborhood of the sta-

tion was made safe, and thus it was possible to take the columns, which had been camping for days before Louvain through the city. If this had not been done the soldiers of the I. army would have been starved. The conduct of the troops in Louvain was exemplary.

Read, approved, signed.

(Signed) von Klewitz.

Witness was then sworn.

Closed.

(Signed) Dr. Ivers.

(Signed) Reisener.

ANNEX D-7

COURT OF THE GOVERNMENT GENERAL AT BRUSSELS.

Louvain (Railway Station), September 17, 1914.

Present: Dr. Ivers, Councillor of the Military Field Court, as Judge.
Rambeau, Military Court Secretary, as Clerk of the Court.

In the investigation instituted by the Court of the Government General of Brussels in order to establish whether any German military persons, and if so which, are guilty of criminal culpability in connection with the burning of the city of Louvain:

Lieutenant-Colonel Schweder, retired, and at present in command of the Mobile Landsturm Infantry Battalion Neuss appeared and declared what follows:

My name is Max Karl Schweder. I was born in Posen on April 14, 1856, and am a Protestant.

On Monday, August 24, 1914, the Landsturm Battalion Neuss, coming from Neuss, arrived at Tirlemont, and at once alighted from the train. I motored with my staff to Louvain where I arrived at 6:30 P. M. It was my intention to prepare everything in Louvain for the disposal and accommodation of the Company von Sandt. That company reached Louvain at 8:10 P. M.; it was accommodated in alarm quarters near the railway station. I myself, First-Lieutenant von Sandt, Surgeon-Colonel Dr. Berghausen, and Adjutant Lieutenant Lamberts, stayed opposite in an hotel. The night from August 24 to 25 passed off quietly. On the 25, at 6 P. M., the vast passages of the troops of the 9th Reserve Army Corps through Louvain commenced; the troops were bound from Liège to Malines. On the 25th, only about 100 men of von Sandt's company were at Louvain, the same number being absent as guards and pickets. To my knowledge no other troops but that company were stationed at Louvain on Tuesday, August 25. In the course of that day

until 5 P. M. everything was perfectly quiet in the town. At 5 o'clock von Rosenberg, Major of the General Staff of the 17th Reserve Division, put in appearance and ordered the company to be held ready at the northwestern entrance of Louvain. Together with First-Lieutenant von Sandt I at once led the company there, and placed them in cover of a small hilly elevation. There the company stayed from 5:45 until 7 o'clock without participating in the battle, which, if I remember correctly, had begun as early as 11 A. M. on both sides of the road from Malines to Louvain with Herent and Bueken as centres.

Shortly after seven I ordered First-Lieutenant von Sandt to march back with his company and to hold himself ready for the alarm at the railway station of Louvain. My feeling was that the company was needed there more than outside the town. I myself then walked to the station through the town which was almost stripped of troops. Of the population I saw some individuals and others in small groups stand outside the houses and move about the streets. The houses were dark everywhere. As to the German troops, I saw in the evening only a few baggage columns and small detachments accompanying them.

About 500 paces from the station, near the Rue Léopold, I suddenly perceived the flash of a rocket right above Station Street. At the same moment about fifteen German soldiers who were near me and myself were shot at from all surrounding houses out of windows, roof hatches and cellar apertures. These soldiers were partly by themselves in the street, partly following their baggage. I want to emphasize that before the rocket went up complete calm prevailed in the street and particularly that the soldiers were moving along the road in a perfectly harmless and quiet manner. I also wish expressly to state that neither an officer nor a German soldier fired a single shot at the inhabitants of Louvain before the assault on them which now commenced. I snatched up about ten soldiers with whom I went to the station having part of them walk on one side of the street part on the other. On this march, which was about 500 meters long, my ten men and myself were shot at from most houses in the street so that we were in a constant shower of bullets. During that march I ordered my men to reply to the fire directed against them.

When I reached Station Square, the company of First-Lieutenant von Sandt was already fighting with the populace who were firing from the surrounding houses, from roofs, windows and cellar apertures. At once I lay down in the firing line and took part in the fight with my rifle; First-Lieutenant von Sandt did the same. After about ten minutes there was a lull in the firing during which I sent strong patrols into the nearest houses from which the people had shot in order to get them out. The company I withdrew close to the station. One corporal and five men of the company were wounded, several of them by small-shot.

Excellency von Boehn and some officers arrived in the course of the evening. First-Lieutenant von Sandt and myself reported to him the main occurrences.

In conclusion I remark that all night, with a brief interruption, the inhabitants kept on firing from their houses; shots also came out of the group of houses to the east of the station.

Read, approved, signed.

(Signed) Max Schweder.

Witness was sworn according to regulation.

(Signed) Dr. Ivers.

(Signed) Rambeau.

ANNEX D-8

COURT OF THE GOVERNMENT GENERAL OF BRUSSELS.

Louvain (Railway Station), September 17, 1914.

Present: Dr. Ivers, Military Court Councillor as Judge.

Rambeau, Military Court Secretary as Clerk of the Court.

First Lieutenant von Sandt of the Reserves of the 2nd Westphalien Regiment of Hussars, retired, at present Captain in the 2nd Mobile Landsturm Infantry Battalion Neuss, deposed:

My name is Otto von Sandt. I was born on May 11, 1869, at Bonn and am a Catholic.

Witness was informed that the Governor General, General Field Marshal Baron von der Goltz, had ordered a judicial investigation in order to establish whether any German military persons, and if so which, had made themselves criminally liable. Von Sandt thereupon gave the following evidence:

I left Neuss with the 1st company of the 2nd Mobile Landsturm Infantry Battalion Neuss and arrived with that company at Louvain on the 24th of August, 1914. My company was stationed in a body in alarm quarters near the station. The night passed quietly. In the morning of August 25th, I at once began posting 150 men as railway guards. On that day no other troops were stationed at Louvain except a detachment of railway engineers of about sixty men. During the day large bodies of troops of the 9th Reserve Army Corps, passed through Louvain from Liège for Malines. It was about five o'clock when Lieutenant Colonel Schweder gave orders to march my company to the northwestern entrance of Louvain; an hour later my company lay in a

covered position on a small elevation. About 1,500 meters away from us fighting of some importance was going on. There was no need for me to take part in it with my company and following the orders given by Colonel-Lieutenant Schweder we marched back in the direction of the Station Square of Louvain. On the road as far as Town Hall Square we passed many German troops and baggage columns. The inhabitants were standing outside the houses either alone or in groups. Everything was quiet on our march to the Station Square; nobody could anticipate that the populace were planning an assault. I and my company reached Station Square about ten minutes to eight o'clock. I was there about five minutes with my company when, all of a sudden and quite unexpectedly, shots were fired on my company from all surrounding houses, from windows and roof apertures. At the same time I heard brisk firing from Station Street and all the adjoining streets. Shots were also fired from the windows of my hotel, the Hotel de l'Industrie and even from my room.

We were standing near the baggage; now we knelt down and opened fire on the opposite houses. Sometime after the horses of the baggage and of the officers bolted, some of them having been wounded by shots. I then sought cover with my company at the entrance of some houses. Five men of my company were wounded at the assault. The reason that so few were wounded was that the shooters aimed too high. By order of Lieutenant-Colonel Schweder I then led my company close up to the station.

About an hour later an Adjutant arrived calling out my name—von Sandt. He asked me: "Can you affirm on oath that the Belgians fired at your company from the houses opposite and those adjacent?" I replied: "Yes, I can swear to that!" Then the Adjutant took me to His Excellency, General von Boehn, who was standing close by. The General asked me for an accurate report. I gave him my report as I have done here before Military Court Councillor Dr. Ivers. After receiving my report His Excellency said to me: "Can you affirm on oath what you have just reported to me; especially that the populace first shot from the houses?" I replied: "Yes, I can affirm that on oath."

Read, approved, signed.

(Signed) Otto von Sandt.

Witness was then sworn according to regulations.

(Signed) Dr. Ivers.

(Signed) Rambeau.

COURT OF THE GOVERNMENT GENERAL OF BRUSSELS.

Louvain Railroad Station, 4 P. M., September 17, 1914.

Present: Dr. Ivers, Military Court Councillor as Judge.

Rambeau, Military Court Secretary as Clerk of the Court.

First Lieutenant von Sandt testified inaddition:

About half an hour before Excellency von Boehn had spoken to me about the firing of the Belgians from their houses on my company, and after His Excellency had ordered these houses near the station put on fire, and while they were ablaze—except the "Maria Theresia" Hotel, which was not set afire because of the close proximity of the army gasoline store—two or three more volleys were fired from the windows of this hotel and particularly from the roof. The shots were directed at our officers and men standing in front of the station. I want to say that apart from my company there were about 150 other soldiers of the 35th Reserves standing in front of the station; they had just alighted from the train. Only now—after we had removed the gasoline barrels to a safe place—did we open fire on the hotel and set it on fire.

After this additional statement had been read to the witness he included it in his testimony made and sworn to in the forenoon of the same day.

Read, approved, signed.

(Signed) Otto von Sandt.

(Signed) Dr. Ivers.

(Signed) Rambeau.

COURT OF THE GOVERNMENT GENERAL OF BELGIUM.

Malines, November 19, 1914.

Present: Military Court Councillor Stempel.

Military Court Secretary Stempel.

There appears upon summons Captain von Sandt as witness, and, after having been acquainted with the subject of the inquiry, deposes as follows:

(Remarks as to his person as indicated before.)

I can only confirm the absolute truth of my statement of September 17, 1914. I, as well as my commander Schweder, put up at the Hotel de l' Industrie at Louvain. I did not personally see the rocket signals fired near the station, but soldiers of my company, whom I consider trustworthy, repeatedly assured me that rocket signals had gone up near the station and that immediately after shooting commenced from the surrounding houses. There is no doubt that the shots fired from the houses came from civilians. At that time there were no German soldiers at all in the houses. Our soldiers only shot after a lively fire had

been opened on them from the houses. Our troops, coming from the battle of Bueken, entered the town of Louvain in close file without being pursued to Louvain by Belgian troops. The latter had been repulsed via Herent to Bueken. There was no reason whatever for our troops to fire before the shooting from the houses had been started. I affirm under oath that it was completely out of question that our troops should have previously shot at each other by mistake. It was reported to me that identification marks had been found later on the bodies of many slain civilians, so that it must be assumed that also Belgian soldiers in civilian clothes took part in the shooting. I did not see any mutilated German soldiers in Louvain, however, soldiers of the marines—I think of the 7th Battalion—which was commanded by Lieutenant-Colonel von Berund, related to me in a credible manner that a German soldier whose skull was fractured had been found in the Hotel de Suede. Another German soldier—according to what these men told me—had been found dead in a house in Marie Thérèse Street with his legs and arms chopped off. This house was thereupon set on fire.

Read, approved, signed.

(Signed) Otto von Sandt.

Witness affirmed the correctness of his testimony, taking it on his former oath.

(Signed) Stempel.

(Signed) Stemper.

ANNEX D-11

COURT OF THE GOVERNMENT GENERAL IN BRUSSELS.

Louvain, September 17, 1914.
(Station Building.)

Present: Dr. Ivers, Military Court Councillor as Judge.

Rambeau, Military Court Secretary as Clerk of the Court.

Infantryman Wilhelm Krebbers of the 1st Company of the second mobilized "Landsturm" Infantry Battalion Neuss deposed as follows:

My name is Wilhelm Krebbers, I was born on October 10, 1873, in Crefeld, and am a Catholic.

I can positively assert, that the German officers and soldiers fired upon the houses only after the inhabitants of all the houses surrounding the station had made a murderous attack upon us Germans from the windows and especially from the roofs of the houses, many shots and heavy volleys being fired.

I was in charge of the baggage. When the shooting was over my baggage wagon and the horses were missing. It was after midnight when I met in the station street two soldiers from another regiment with my wagon and horses. I climbed upon the wagon and drove to the station. When I passed the Hotel "Maria Theresia" several volleys were fired upon my team from the windows and the roof of the hotel. The horses ran away and came only to a halt in front of a wall behind the station.

The testimony was then read to the witness and he was told that it had to be the pure truth as he would have to swear to it. He declared:

I have told the pure truth and can swear to it with a clear conscience.

Read, approved, signed.

(Signed) Wilhelm Krebbers.

Witness was sworn.

(Signed) Ivers.

(Signed) Rambeau.

ANNEX D-13

COURT OF THE GOVERNMENT GENERAL IN BRUSSELS.

Louvain, September 18, 1914.

Present: Dr. Ivers, Military Court Councillor as Judge.

Rambeau, Military Court Secretary as Clerk of the Court.

Private Küppers of the "Landsturm" Battalion Neuss deposed:

My name is Hubert Küppers, I was born on April 11, 1877, in Güchen, District of Grevenbroich, and am a Catholic.

I am a private in the first company of the "Landsturm" Infantry Battalion Neuss.

On August 25 I was doing sentry duty at the main entrance of the railroad station of Louvain from seven to nine o'clock in the evening. At about eight o'clock our company chief arrived with his company at the Station Square. A part of the company took position between our baggage wagons in the square and the others lay down upon the ground a few feet distant. The company had hardly been five minutes at the Station Square, when I saw a green colored sky-rocket appear above the city, in the direction of the Hotel Maria Theresia, at the Station Square. I noticed that the sky-rocket became extinct above the monument in the square, and that a number of small, many colored balls fell from it. They died out in the air before they reached the ground.

The green colored sky-rocket had hardly disappeared when on the opposite side a red colored rocket appeared, headed also for the station. After a few moments the red colored sky-rocket became also extinct, and a number of small blue, red and green balls fell from it, but disappeared before they reached the ground. A few seconds later a murderous fire was opened upon the German soldiers from the windows and attics of almost every house around the Station Square. I feel sure that the two sky-rockets were signals for the Belgians to commence their firing upon the German soldiers. I was relieved at nine o'clock. I immediately reported to Sergeant Grunewald on duty in the guard room that I had observed at eight o'clock a green colored, and shortly afterward a red colored sky-rocket appearing above the city—one from the left, the other from the right, and that a number of illuminated, many colored balls had fallen from them.

Witness, after being admonished to tell the truth, declared:

I can swear with a clear conscience to the occurrence relative to the sky-rocket, as I have described it.

Read, approved, signed.

(Signed) Hubert Küppers.

Witness was sworn.

(Signed) Dr. Ivers.

(Signed) Rambeau.

ANNEX D-21

COURT OF THE GOVERNMENT GENERAL OF BELGIUM.

Malines, November 18, 1914.

Present: Military Court Councillor Stempel.
Military Court Clerk Stemper.

Assistant Surgeon Keuten being summoned appears as witness and declares:

My name is Arnold Keuten. I am twenty-five years of age, Assistant Surgeon of the 2nd Mobile "Landsturm" Battalion Neuss, at present in Malines.

If I remember right I came to Louvain on August 27 in the afternoon. I stayed there until the beginning of October when the landsturm battalion left. In the course of the afternoon I heard shooting in the Rue de la Station. I then wore the Red Cross band. I had the impression as if they shot at us there from a house although the Red Cross band could be plainly seen on my arm. We walked up to the house. A German soldier from another battalion jumped from the first

story of that house and broke his leg. He told me that he had just been pursued and fired at by six civilians in the house. Later on I went to Louvain station where two German soldiers, both being wounded by small-shot were brought to the sick room which I had to superintend. Small shot was found in their abdominal muscles and in the thigh. They said that civilians had fired at them out of houses, while they were standing between the cars at the railway station.

From September 10 to 12, I looked after a hospital room at Wygmael, about five kilometers from Louvain. During those days there had been fighting in the neighborhood particularly near Rotzelar and Wackerzerl. It was reported to me that about three hundred wounded Belgians were still lying on the battlefield. I went there twice to tend them, the first time with a cart and some men who wore the Red Cross badge. When I took the Belgians (who were severely wounded) out of a house, two or three shots were fired at us from some bushes although it was still daylight. Also the second time when I went with two sanitary staff autos and two ambulances marked with the Red Cross and carrying Red Cross flags which could be seen far off, repeated shots were fired from bushes. We merely made the ride to take back the Belgian wounded.

Read, approved, signed.

(Signed) A. Keuten.

Witness was sworn according to regulations.

(Signed) Stempel.

(Signed) Stemper.

ANNEX D-25

COURT OF THE RESERVE BATTALION OF THE FIFTH HANOVERIAN INFANTRY REGIMENT NO. 165.

Quedlinburg, November 22, 1914.

Present: Lieutenant Möllmann as Court Officer.

Sergeant-at-arms of the "Landwehr" Bringern as Clerk of the Military Court.

Musketier August Zander of the Third Reserve Company of the Hanoverian Infantry Regiment No. 165, who is a merchant's clerk in private life, appeared as a witness and deposed as follows:

My name is August Zander, I am twenty-one years old, a Lutheran, born in Schoenebeck on the Elbe and live at present in the Infantry Barracks at Quedlinburg.

On August 21, 1914, I was sent to the hospital in Louvain owing to an injury on my foot. The hospital was located in the barracks of the 11th Belgian Infantry Regiment, opposite the military hospital, and was made recognizable as such by a Red Cross flag.

Our meals were regularly served by a number of young Belgians, who attended a school in Louvain, preparatory to becoming clergymen, a few Dominican and Franciscan monks, who wore yellow cossacks, and a few civilians. The attendants wore white sleeve bands, marked with the Red Cross.

On the afternoon of August 25, these persons who had served us our meals, suddenly disappeared. The evening meal was served by civilians. Something must have been the matter with the food, because most of those who partook of it, got violent diarrhoea.

In the evening, when most of us had already retired—it may have been about nine or nine-thirty o'clock—we suddenly heard heavy firing. All those who were able jumped out of bed and looked for guns to defend themselves.

The highest in authority in the hospital was a Sergeant-at-arms of the 27th Regiment, who was lying badly wounded in bed. He tried to calm us by saying that we were under the protection of the Red Cross, and that nobody would harm us. But those of us who had managed to get arms hurried to the entrance of the hospital to defend themselves and us.

I noticed quite distinctly that two or three men were sitting on top of an adjoining house and firing upon our hospital.

We heard heavy firing below at the gateway where the sentries were posted. The sound of the shots from pistols, used by the Belgians, and the rifles, used by our own troops, was clearly distinguishable. In the meantime one or the other of our soldiers came to us with the assurance that we had nothing to fear, as the attack, which the inhabitants had started, had been repulsed. But they also told us that our sentries had fared badly; that boiling tar had been poured over them and that they were suffering excruciating pains.

We finally went to bed again. During the whole night we heard isolated revolver shots fired, which we could plainly distinguish from the rifle shots.

On the following morning between eight and nine o'clock I went into the court yard to wash. Two other soldiers were nearby. Suddenly about ten revolver shots were fired upon us. The bullets, I plainly noticed, struck quite close to me. The shots had evidently been fired from the roof of one of the houses across the street by removing some of the tiles. On our way to the station, on the same morning, our sentries warned us repeatedly to be careful, as shots were still being fired into the streets. It was several hours before the hospital train left

the Louvain station. During this time a number of revolver shots were heard from the rear of the train. They were evidently aimed at the hospital train, for soon afterward a fellow soldier was carried from the rear part, where he had just been severely wounded in the leg by shots, to the front part of the train.

Read, approved, signed.

(Signed) August Zander.

Witness was then sworn.

Attested.

(Signed) Möllmann.

(Signed) Bringern.

ANNEX D-26

Report.

On August 26, 1914, an automobile bearing the Red Cross flag and other emblems painted on it stopped at the City Hall Square in Louvain. The night fighting in the streets had ceased.

The square was being cleaned of blood, etc. A vehicle with wounded had arrived from Mons.

Captain von Reventlow of Grenadier Regiment No. 12 was among the wounded and was transferred to the automobile of the voluntary hospital corps. It was one o'clock in the afternoon, and the weather was sunny, though there were some rainshowers. At this time rifle fire was opened upon the automobile containing the wounded.

(Signed) Georg von Zitzewitz, Lieutenant
Commander and Delegate of the
Voluntary Hospital Corps.

ANNEX D-30

Aix-la-Chapelle, November 14, 1914.

GARRISON COMMAND.

Present: Schneider, Captain of the Landwehr, retired, as Military Court Councillor.

Military Court Secretary Klinke, as Clerk of the Military Court.

Mr. Hubert Sittart, member of the Reichstag, living in Aix-la-Chapelle, appeared upon summons and deposed as follows:

On August 31, a number of Louvain women complained to me with tears in their eyes about the sufferings which the bombardment of the city had caused them. They expressly admitted that the people had shot upon our troops from the houses and cellars. One of them, the widow of a physician, uttered the opinion that the perpetrators had been members of the "Garde civique." But when she heard that there were soldiers in Aix-la-Chapelle with buck-shot wounds, she had to admit that civilians also participated in the shooting. She also agreed that I was right when I maintained that also the "Garde civique" and the regular troops would deserve no mercy if they, instead of fighting openly and honestly, fired from ambush, from cellars and roofs.

The Vice-President of the Louvain University, Monseigneur Coenraets, told me that, when taken as a hostage, he was ordered to read a proclamation to the people, telling them that the hostages would be shot and the city bombarded, if the population were to keep up their treacherous attacks on the troops. No sooner had he read this in one of the streets when shots had been actually fired at the German soldiers accompanying him.

Witness then, after instructions as to the meaning of the oath, was sworn in according to law.

(Signed) H. Sittart.

(Signed) Schneider.

(Signed) Klinke.

ANNEX D-32

COURT OF THE GOVERNMENT GENERAL.

Louvain, November 20, 1914.

Present: Military Court Councillor Stempel.

Military Court Secretary Stemper.

TAKING OF OCULAR EVIDENCE.

In a side street of the Rue de Tirlemont in Louvain, near the jail, the following facts were established:

In that side street, on the left side when coming from the Rue de Tirlemont, is a long wall about four meters high. Opposite that wall, in a continuous row, are houses running up several flights. The wall shows numerous traces of gun shots. To judge from the existing and clearly visible traces those shots have no doubt been fired from the higher stories of the opposite houses. The traces of those shots run obliquely from above downward.

(Signed) Stempel.

(Signed) Stemper.

Thiescourt, November 29, 1914.
(Temporary Quarters.)

Present: Lieutenant of the Reserves Stegmüller in Charge of the Hearing.

Non-commissioned Officer Schmidt as Clerk.

Captain Josephson appeared and, after instructions as to the meaning of the oath, deposed as follows:

My name is Walter Josephson, I am forty-six years old, a Lutheran, in command of the 2nd Battalion of Landwehr Infantry Regiment No. 53.

On August 27th, the 3rd battalion of Landwehr Infantry Regiment No. 53, while on the march from Rotzelaer to Louvain, had to take along a transport of about one thousand civilian prisoners. At first the prisoners were guarded by company 9 under my command and by company 12 under command of Captain Ernst, both of the 53rd Landwehr Infantry. When subsequently additional transports of prisoners came they were guarded by members of the 1st battalion of the 53rd Landwehr Infantry. Among the prisoners there was also a number of Belgian priests one of whom aroused my suspicion because, whenever we rested, he went from one prisoner to the other and spoke to them excitedly, so that I had to put him under special guard. At Louvain we delivered the prisoners at the station; another troop, the number of which I have forgotten, watched them over night. The next morning different people, among them Captain Ernst, reported to me that the above mentioned priest had shot at one of the sentries, but failed to hit him. He was subsequently shot in the square facing the station, presumably by orders of the town commander. Captain Ernst saw his body still lying there the next day.

Regarding the conditions in Louvain at that time I can add the following:

The 3rd Battalion of "Landwehr" Infantry Regiment No. 53 entered Louvain on August 25th, on the day of the assault, and was there again from August 27th to September 1st. My company was billeted with the principal of a public school, a very calm, soberminded man with whom I fully discussed the assault. He told me that on the day before the assault he had taken a walk in the suburbs of Louvain and stopped at an inn. The landlord had told him that a troop of about one hundred young men had passed by his house that same day. These men were conversing in many tongues and were marching towards Louvain. They had asked him for drinks and lodging for the night, but the whole thing had looked so uncanny to him that he had refused to have anything to do with them, and removed his sign from the house. He said

to the principal verbally: "If these people come to Louvain, it will stink in Louvain tomorrow," by which he meant to say that blood would flow. The principal further informed me that almost every house in Louvain had a furnished room to rent to students. These rooms had been vacant at that time on account of the vacations, but that friends or acquaintances of the students, or any person claiming to be such, would be admitted to these rooms at any time; he suspected that these rooms had been occupied by the before mentioned young men. At any rate, it was strange that when I rode ahead of my battalion, together with Captain Ernst and the Adjutant of the Battalion, Lieutenant Stegmüller, in order to arrange for quarters in the Rue des Joyeuses Entrées of Louvain, there was a young man in almost every house although the younger Belgian male population had been enlisted; furthermore, it was strange that the inhabitants had shown themselves so very anxious to give quarters only to our officers, and, lastly, that in none of the officers' quarters room was to be had for their orderlies except in adjoining houses, never in the houses where German officers were billeted.

With my company I had to furnish the guards at the station. Opposite the station there is a block of houses facing a street which is separated from the railway station by a board fence. From this fence shots were fired at the guards every night. I, therefore, had all these houses cleared and placed guards around the entire block. The same evening, when it got dark, I personally saw how a troop of fifty or sixty civilians emerged from the woods about six hundred or eight hundred meters away, but withdrew when they noticed the sentinels placed everywhere. From this time on there was no more shooting at the sentinels.

Read, approved, signed.

(Signed) Josephson, Captain and Battalion Chief.

Witness duly sworn.

(Signed) Stegmüller.

(Signed) Schmidt.

ANNEX D-35

ROYAL DISTRICT COURT.

Reserve Hospital at Cleve, October 9, 1914.

Present: Councillor of Justice Fritzen as Judge.

Assistant Frings as Clerk of the Court.

The below mentioned witness appears, and, upon being made acquainted with the subject of the investigation deposes as follows:

My name is Adam Hoos, I am thirty-two years old, a Catholic, private of Company 2 of Landwehr Regiment No. 55 of Wesel, at present I am in the reserve hospital of Cleve.

On August 25 we entered Louvain and took part in the street fighting. In the morning of August 26, when we searched the houses for wounded, we found in a cellar a soldier of our regiment, whose name I do not know. His abdomen was cut open, and the vitals were hanging out. We did not ascertain whether the dead man was otherwise wounded. To my mind the cut can only have been made with a sharp knife.

Read, approved, signed.

(Signed) Adam Hoos.

Witness was sworn.

(Signed) Fritzen.

(Signed) Frings.

ANNEX D-37

Bremen, January 10, 1915.

Present: Lieutenant of the Reserves Ahrens as Court Officer.
Non-commissioned Officer of the "Landwehr" Heinhorst as
Clerk of the Military Court.

The following persons appeared at the investigation re the events at Louvain and testified after instructions as to the meaning of the oath:

(1) Deputy-Officer Walter Kruse of Company 3 of the Substitute battalion of Reserve Infantry Regiment No. 75.

On August 25, 1914, towards 9 P. M., the 3rd Battalion of Reserve Infantry Regiment No. 75 arrived at the station of Louvain. Suddenly when about three hundred yards away from the station shots were fired at our train from both sides of the embankment. I heard the rattling of the shots against the cars. The train stopped. Orders were given to alight. I immediately let my men deploy on the tracks and reply to the fire. We were about three or four minutes in the fire when I received a load of buck-shot in the thigh. I had my wound dressed and did not witness the subsequent events directly. After ten minutes the shooting suddenly stopped whereupon the companies were gathered together. In the darkness one could only see the flash of the rifles. Most of the shots came from above so that one had to assume that they were fired from windows, roofs and trees. I did not see any particular person who fired the shots. About one and a half hours later I again heard heavy firing from the station where I lay wounded.

Read, approved, signed.

(Signed) Walter Kruse.

Witness was duly sworn.

(2) Sergeant-Major Ludwig Hilmer of Company 3 of the Reserve Infantry Regiment No. 215, at present at Bremen:

When the train carrying the 3rd Battalion of the 75th Infantry Reserves arrived at the station of Louvain at about 9 P. M., on August 25, 1914, we were suddenly attacked by rifle fire on both sides of the train, while still three hundred to four hundred yards distant from the station building. The windows in my compartment were immediately shattered. We alighted and replied to the fire. Our opponents were not to be seen as it was already completely dark. We only saw the flash of the rifles and assumed that the shots were fired from the houses on either side of the railway. Five men of my company were wounded in this fight, partly by buckshot as I ascertained myself. About ten minutes later the firing ceased, but immediately was taken up again. Not before we had the lights turned off on the tracks did the fire cease. The companies now gathered at the station, took off their baggage and received orders to set on fire all the buildings from which shots were fired after having searched them. Strict orders were given at the same time not to do the least harm to women and children. In groups my company entered the houses in the district assigned to it. Captain Brinckmann and I entered an inn opposite the station where we found a waiter behind the counter and a rifle and ammunition standing beside him. Some of our men immediately took him to the officer in charge of the station while we continued our search. Various civilians were arrested and taken along by my men, and after being tried by the commander, they were shot, on the square facing the station. Acting on orders, I personally took part in the burning of several houses after first making sure that nobody was left inside. Towards 12 P. M., this work was done and the company returned to the station in front of which the bodies of about fifteen civilians were lying. Two priests were also standing there who were to serve as hostages. I heard one patrol reporting that citizens had been caught in a church with rifles and ammunition in their possession. There was no thought of sleep this night as the town resounded from the bursting of bombs and munitions that were stored in the burning houses. One imagined to be under heavy artillery fire. In the morning of the 26th of August, the company was again alarmed as baggage columns had been fired at in the town. We marched into a street about five minutes away from the station and were fired at from the houses, apparently with shot guns. We forced our way into the houses and arrested several civilians who had made themselves suspicious. The houses from which the shots came were set on fire. Towards noon the company returned to the depot. At about 3 P. M. I was standing with a Vice-sergeant major in front of the monument facing the station when we were suddenly fired on. Immediately after, five riderless horses came galloping towards us from the

streets where the shots had come from. We found out later that they were horses of the field-gendarmes whose riders had been shot down in the town. Orders were now given to inform the whole town, while ringing bells and beating drums, that every company that entered the town would have a number of hostages led before them. These were to be shot the minute new shots would be fired from the houses. Among the hostages held at the station were several priests and government officials. Despite this measure civilians again fired at us the same evening and the following night. The morning of August 27 was uneventful for my company as we badly needed sleep. Only in the afternoon we were put to action again. As it was impossible to establish order in the town by means of hostages, orders were given that all male inhabitants between the ages of seventeen and fifty were to be arrested. Assisted by a squad of eighty men I executed this order after a lieutenant had read out the command in public everywhere in town. The men had to be dragged out from every house. After three hours' work I had rounded up about 200 or 300 men whom I brought to the station. Every man on whom arms or ammunition were found was shot; there were fifteen or twenty of these again. The rest were informed that as soon as shots were fired again they would all be placed before machine guns. This helped, for the next night passed in absolute quiet. However, the men had hardly been discharged the next morning when the shooting started anew. Taking hostages along with us, my company again entered the town and was fired upon at once, and again we had to set fire to a number of houses. On this occasion I saw with my own eyes how a civilian shot from a high window at Captain Brinckmann. I heard the bullet strike the pavement. The Major immediately ordered the house set on fire. From here we advanced on a convent situated high up on a hill. It was said that shots had been also fired from that place; however, neither suspects nor arms nor ammunition were found by us. Immediately afterwards we heard cries for help coming from the road which passes the convent at the foot of the hill. We hurried back and had to aid a transport column which had been fired at. Again we set fire to a number of houses, and orders were given for all inhabitants to leave Louvain, as artillery was to be employed. This was done between two and four P. M., while our battalion was still at the station. I myself observed that the artillery projectiles exploded only in those parts of the town where the attacks had occurred.

Read, approved, signed.

(Signed) Hilmer.

Hilmer was sworn.

(3) Private Heinrich Westerkamp of the Company of Wounded of the Substitute Battalion of Reserve Infantry Regiment No. 75.

At noon on August 25 I arrived at Louvain with the second battalion of the 75th Infantry Reserves. While we were receiving our dinner from the field kitchens in that part of the town, which is situated towards the suburbs of Herent, we were surprised to see so many strong men crowding the streets and putting their heads together. At Herent I was assigned to the baggage train on account of sore feet, while the battalion marched on. I was just drawing water from a well when all of a sudden the baggage transport was fired at from all sides. The wagons had already been turned about, and as the horses could not be held we returned to Louvain at top speed. However, things being unsafe there—as we were told by stragglers—we intended to drive past the station into the next village to spend the night there. But we got hardly fifty meters past the station when we had to stop as we had lost a wheel from one of the wagons. Hardly had they been stopped in the pitch dark street when we received a violent fire from the houses on either side of the tracks and from the brushwood on the railway embankment. The man sitting beside me on the wagon at once got a shot in one of his feet. We alighted and tried to get into cover. At that moment a civilian came running towards me from a house, holding a revolver in his raised hand. I shot him dead. Immediately after a hand grenade exploded about 7 or 8 meters from me, killing a horse. Now the three of us looked for cover in the niche of a house from where we succeeded in reaching a shed. At this time—about 9 P. M.—the 3rd battalion arrived which we joined. During the night the shooting never ceased and the houses around the station were ablaze. Even a machine gun was being fired from the roof of the Hotel du Nord, as one could tell exactly by the regularity of the shots. The next morning I ascertained that five horses of the baggage train had been killed. I stayed in front of the station until noon, August 26, and saw here how about forty persons were tried by an officer and how about twenty of them were shot. Two priests were also taken before the officer, one of whom declared that he was a German and denied having shot. However, as I heard latter, a Browning pistol was found on him. I also saw how a man of the 162 or 163 Regiment was carried past me on a tent cover. He was moaning terribly, and I was told that he had been attacked by several civilians while on patrol duty, and that he had been emasculated. Later I heard that the man had died from the mutilation suffered. A Belgian, who addressed me in German, declared that the whole disaster would have been avoided if the clergy had not blessed from the pulpit those who would shoot at German troops. That noon we followed the troops with the baggage transport, after new horses had been supplied to us. Of the village of Herent we found only a heap of ruins remaining.

About three days later I met Lieutenant Foerster (now with Company 4 of the 75th Infantry Reserves). He told me that other German soldiers had been mutilated in a bestial manner. (*)

Read, approved, signed.

(Signed) Westerkamp

Witness was duly sworn.

(Signed) Ahrens, Lieutenant and Military Court Officer.

(Signed) Heinhorst, non-commissioned officer and Clerk of the Military Court.

ANNEX D-38

COMMANDANT'S COURT:

Altona, March 1, 1915.

Present: Military Court Councillor, Dr. Steengrafe,
Military Court Secretary, Koch.

The merchant Gruner appeared as witness and gave the following testimony under oath:

My name is Richard Gruner, I am twenty-three years old, a Protestant, and a merchant of Hamburg.

After the mobilization I placed myself as volunteer at the disposal of the military authorities and went to the front as chauffeur attached to the staff of the IX Army Corps of reserve. On the evening of August 25, 1914, we arrived in Louvain. An impending sortie out of Antwerp had been reported, and the German troops had been ordered out of Louvain and were, as I suppose, employed against this attack. The baggage inclusive of the automobiles, was left on the square near the Hotel Metropole. Captain von Esmarch ordered me to drive after the departing troops to bring back a company of soldiers for the protection of the staff. They took position upon the square. At nine o'clock in the evening I noticed a green sky-rocket ascending above the city. At the same moment shots were fired upon us from the houses surrounding the square. I distinctly heard the regular tack, tack of machine guns. Several of our number were seriously wounded. The German soldiers answered the fire and succeeded in checking it. The houses out of which the firing came were burned down. I gained the impression that this was a carefully planned proceeding. Until then the inhabitants had treated us with courtesy and consideration.

*The details are so revolting as to be unfit to be laid before the general public.

After the attack in the center of the town had been disposed of, the troops were ordered from there to the railroad station. Up to this time I had not observed any participation of Belgian clergymen. On my way to the station I noticed a man in clerical habit with unmistakable clerical physiognomy and wide brimmed hat with two tassels, pointing out the way to bodies of our troops. I myself followed a number of cars which preceded me along another street. I learned later, that the soldiers who followed the directions of the clergyman, came to a blind alley where they were exposed to a crossfire from the houses.

When I arrived at the station, I learned, that here, too, the civilian population had made an attack upon the German soldiers from the surrounding houses, but that it had been repulsed. As in other parts of the town, a number of houses around the station were in flames. All citizens who had been arrested were taken to the station Square, put through an examination and shot according to martial law, whenever their guilt was established. I myself acted as interpreter during some of the examinations, which lasted throughout the night until the following morning. There may have been from eighty to one hundred persons who were shot according to martial law, among them perhaps ten to fifteen clergymen, not including one man who was unmistakably disguised as a clergyman, because he wore civilian clothing under his clerical habit. I am in a position to state emphatically that among these clerics was the same clergyman of whom I spoke before. He was recognized by soldiers as the man who directed them into the blind alley; he, too, was shot. I also acted as interpreter during the examination of two other clergymen. One carried a revolver still loaded with four cartridges, while one had been fired; he, too, was shot. I must state here that it had been previously announced, that all inhabitants in whose possession firearms were found, would be shot. I cannot recollect to-day what else was brought to light during the examination of this clergyman. But I know that nobody was executed whose participation in the attacks against the German troops had not been clearly established by two witnesses, or who was not found with a weapon in his possession. Those who were brought before the court martial must have given cause for some suspicion, otherwise they would not have been arrested.

During the night as well as during the day attacks were made here and there upon the German troops near the station.

In the course of the examination many of the Belgians asserted that their actions against the Germans had been represented to them by persons "higher-up," also by the clergy as a matter of creed. As we carried the wounded from the hospital in our automobiles at night, shots were fired upon us also from a monastery.

Read, approved and signed.

(Signed) Gruner.

The witness was sworn accordance to law.

Attested:

(Signed) Steengrafe, Military Court Councillor.

(Signed) Koch.

ARMY DEPARTMENT.

MILITARY INVESTIGATION BUREAU FOR THE OFFENSES AGAINST THE LAWS OF WAR.

Berlin, March 19, 1915.

Present: Military Court Councillor Dr. Grasshoff, as Judge.
Secretary Pahl as Clerk of the Military Court.

Richard Gruner, merchant from Hamburg-Grossborstel, Holunder Weg 12, being summoned appears. The solemnity of the oath was pointed out to him, and he declared:

My name is Richard Gruner, I am twenty-three years of age, and a Protestant.

First of all I confirm every statement which I made at the court examination at Altona on March 1, 1915. That statement which has just been read out to me is in every point in conformity with the full truth. I supplement it as follows:

The examination of the franc-tireurs taken to the railway station at Louvain by the German troops in the night from August 25th to 26th was conducted by Captain Albrecht who at that time was intelligence officer of the Staff of the 9th Réserve Army Corps and later fell at Noyon end of October, 1914. In times of peace Captain Albrecht was attached to the Great General Staff. He asked me to serve as an interpreter during part of the examinations. Whilst the soldiers led forth the civilians whom they had arrested, firing continued in the town. One hundred to two hundred persons were handed over to me to be searched and examined. Captain Albrecht walked up and down the station square passing from one group of franc-tireurs, who were to be examined, to another. He asked for the result of the examination and then gave his orders for the further treatment of the accused. Altogether about six hundred persons may have been brought in. At least five hundred of them were saved from being shot, because clear proof

of their guilt had not been attained at the examination. These persons were taken aside; subsequently the men were sent to Germany while women and children were left the option to go to Antwerp.

It is untrue that in ordering them to be shot an arbitrary choice was made amongst the persons who had been brought up. The examinations were carried out with the strictest impartiality. I searched the persons that had been brought up myself, whether they had arms, which I found in many cases. I had furthermore been instructed to give attention as to whether the accused were disguised Belgian soldiers, which could be ascertained by the identification mark (death mark). I found that military mark in the pockets or purses of many persons that had been brought before me. Captain Albrecht—I presume at higher orders—proceeded in the following manner. He ordered those to be shot who had been caught with arms or the mark of identification or in whose cases at least two eye-witnesses established that the accused had shot at the German troops. In my firm conviction it is altogether out of the question that any innocent man lost his life. Captain Albrecht, in particular, did all he could under the circumstances to admonish the soldiers to speak the truth. When no arms or marks had been found, he asked the witnesses a second time himself whether they were quite sure in their statements, and pointed out to them that life or death of a person depended on their statements. Only when after that admonition the soldiers firmly insisted on their evidence, were orders given for the accused to be shot.

Amongst the persons brought forward were several clergymen; altogether ten or fifteen of them have been shot. I myself established that one priest carried a loaded revolver from which a cartridge had been fired. The empty shell was still in the chamber of the revolver. In the case of another priest I am perfectly sure that he was the very man who had intentionally lured our soldiers, according to their own evidence, into the franc-tireur fire. There is no doubt that those two men were genuine clergymen. But a third man wore civilian dress under his clerical garb and I found a military mark on him.

All the time the examination was going on I stayed at the railway square. So I can confirm from my own knowledge that there was no mock-execution of clergymen and that none of the involuntary observers of those scenes were compelled to express any approval.

Amongst those who were brought up were many civilians who, when they noticed that I spoke French, called out to me that they were innocent, and that the priests alone were responsible for what had occurred. They expressly pointed to those priests who had been rounded up with them. Amongst the accused was a Belgian civilian who in order to prove his pro-German feelings showed forth a document which stated that the King of Prussia had conferred on him the Order of the Red Eagle. I took the opportunity to reprove him that he who was

evidently an educated man and the other men of his class had not restrained the population from the assault. His answer was: "We can do nothing against the clergy who have the people in their hands." The man not being convicted was placed among the prisoners.

I remained at Louvain until August 26th, 1914, 4 P. M. During that day, I constantly saw and heard, every now and again, the firing which proceeded from the houses; comrades of mine were wounded in my immediate neighborhood, as f. i. volunteer Wuppermann. During the forenoon of August 26th I conversed with two of the many women who were held prisoners at the station square. They belonged evidently to the better classes. One of them—an American woman from St. Louis—addressed me in English and begged me to liberate her and a woman friend, declaring that they were innocent. She declared that the clergymen had caused the whole trouble. She then fetched the other woman—a Belgian lady—with whom I talked in French. She, too, told me that the firing out of the houses was due to the attitude of the clergymen, and narrated the following story:

In the evening Belgian soldiers in civilian clothes had entered the houses and forced the inhabitants under threats to take them in, and to allow them to shoot out of the windows; previous to this, the clergymen had made the rounds of the houses and told the inhabitants that it was their duty to take the Belgian soldiers into their homes and to assist them, because the German troops were waging war against the faith of the Belgians.

An especially strong fire was maintained upon the German troops during the critical days out of a monastery, situated outside of Louvain, on the road of Bueken. I heard soldiers say so repeatedly, and had to adopt especial precautions myself as I passed the monastery in my automobile on my way to Bueken in the afternoon of August 26, 1914. We had to take several civilians along, who were seated on the sideboard and on the radiator of the automobile, in order to be safe against shots being fired from the monastery.

I want to emphasize that we were even fired upon out of the houses while we were conducting the examinations on station square. I remember especially that when ten to twelve young men wearing a sporting cap—which was the frequent characteristic of disguised Belgian soldiers—were led up to the station, and when I had just started on my way to examine them, I was fired upon out of a house opposite, and that the prisoners ran away and we Germans shot after them.

Read, approved, signed.

(Signed) Richard Gruner.

Witness was then sworn.

(Signed) Dr. Grasshoff.

(Signed) Pahl.

"KOMMANDANTUR" COURT.

Altona, March 1, 1915.

Present: Military Court Councillor Dr. Steengrafe.
Sergeant Meyer as Clerk of the Court.

Robert Weiss, a mechanic, appeared as witness, and after instructions as to the meaning of the oath declared as follows:

My name is Robert Weiss; I am a mechanic by trade. I am twenty-one years old, of Christian religion. At present chauffeur.

When the army was mobilized I volunteered and was assigned as chauffeur with the staff of the 9th Reserve Army Corps.

In the afternoon of August 25th we arrived at Louvain. The population at first was more than friendly towards us.

Towards evening I had driven a wounded soldier to the hospital situated near the market square. This hospital had been established in a convent. Towards 9 P. M. I drove the car—in which Captain von Harnier was a passenger—from the convent back to the market square, when all of a sudden shots came from all sides of the houses. I stopped my car and remained unhurt; Captain von Harnier received a shot through the arm; he hurried to the market square and I looked for cover under the car.

I may thus have lain for half an hour when a detachment of German infantry came along the street. I called out to the officer in charge, and he ordered his men to fire at the surrounding houses from which the firing continued. Then I drove my car into shelter at the convent yard.

A little while later when I was about to drive away again, Captain von Esmarch was carried in, covered with blood. While they carried him into the hospital, shots were fired on him from the convent. Accompanied by an infantry man I walked into the convent; we found a revolver there, but could not enter the narrow passages of the convent into which the men had evidently retired as we were afraid to be cut off.

The Belgian hospital staff refused to dress Captain von Esmarch's wounds. I finally took a Belgian physician by the arm and compelled him to dress the wounds.

Then I drove my car to the market square where I picked up the gentlemen of the General Command. While we drove to the railroad station I saw burning houses everywhere. Solitary shots still rang out from some of the houses.

No buildings were on fire around the station, and strict orders had been issued not to set any houses on fire there. About thirty minutes

later shooting commenced from the hotels opposite the station. From there they were also using machine guns against the station as I could plainly distinguish by the regular "tac-tac."

Only then orders were given to bring down the houses facing the depot; they were set on fire; but the shooting was kept up even from the burning buildings and finally from their blank walls. We had losses.

Later only a few solitary shots were heard.

Those citizens who had participated in the assault were brought to the station where they were examined, and, if proven guilty, shot.

The soldiers who rounded up the citizens, were, as I heard myself, cautioned to be careful and conscientious in the statements they made. The examinations were conducted by officers of the General Command. Anyone carrying a loaded weapon, in spite of the proclamation issued, was shot forthwith.

There were several dead men lying in the streets wearing clerical garbs; at the station, too, several men in clerical garbs were executed; they all were duly examined, but I was not present during the hearing.

Also on the following day shots were fired at us now and then from various houses.

Read, approved, signed.

(Signed) Meyer.

Witness duly sworn.

(Signed) Dr. Steengrafe, Military Court Councillor.

(Signed) Weiss.

ANNEX D-42

"KOMMANDANTUR" COURT.

Altona, December 28, 1914.

Present: Military Court Councillor Dr. Steengrafe.
Military Court Clerk Kahl.

Upon summons there appears Captain Hermansen of the second "Landwehr" and, after being instructed as to the meaning and sanctity of the oath, declares as follows:

My name is Richard Hermansen, I am twenty-seven years of age, a Lutheran, district attorney in Duesseldorf, at present a member of the substitute battalion of Infantry Regiment No. 76 of Hamburg.

On August 25 towards nine P. M. I arrived at Louvain after fifty-five hours railroad travel.

At the moment of alighting from the train a violent rifle fire was directed at the station and the surrounding houses from the buildings nearby. I also heard a regular noise which I took for machine-gun fire.

We took part in the searching and burning down of the houses from which the shooting had come.

Some of the houses showed regular loop-holes, including such houses on which I saw white flags displayed on the following day.

On September 1st I met a priest at Lombeek, St. Catherine near Ternath, west of Brussels, whom I commended for the quiet behavior of the inhabitants of Lombeek towards our company.

He said: "Yes, I have been preaching this for weeks from the pulpit and my parishioners listen to me; I have told them that if they wished to fight they should go to Antwerp, don a uniform and ask for a rifle; that the foe, too, was only doing his duty; that his soldiers were children of the same Heavenly Father."

I replied that if all of his brother clergymen had acted in the same way, the Belgians would have been spared much hardship. He did not protest; we conversed for a little while longer and when we parted he blessed me.

Read, approved, signed.

(Signed) Hermansen.

Witness duly sworn.

(Signed) Steengrafe, Military Court Councillor.

(Signed) Kahl, Clerk of the Military Court.

ANNEX D-43

Flensburg, January 8, 1915.

Present: Military Court Councillor Felgner.

Vice-Sergeant Major Becker as Military Court Clerk.

Captain von Vethacke appeared and, after being instructed as to the meaning of the oath, deposed as follows:

My name is Moritz von Vethacke, I am thirty-seven years old, a Lutheran, Captain of the substitute Battalion of the Reserve Infantry Regiment No. 86.

I confirm Captain Hermansen's statement of December 28, 1914, which I just read, and add the following remarks:

I am positive that among the corpses that lay on the square facing the depot there were several which were dressed in clerical garb. The investigations on the station square of Louvain were very carefully conducted. Every company had a section assigned to it which they had to

clear of snipers. Anybody met with a rifle in hand was shot forthwith; others, however, in whose case there was no direct evidence that they had participated in the assaults were taken to the station where their fate was decided. The witnesses were immediately taken along to testify in the station. Those who were found guilty were shot in the station square. Any priests that were shot must have been found guilty by the court. I also met the priest mentioned in Major Hermansen's testimony; he made an excellent impression upon me; he did not contradict me either when I expressed my opinion to him that the clergy had incited the public and taken part in the assaults. From our conversation I gained the impression that this priest did not approve of the proceedings of his colleagues.

Read, approved, signed.

(Signed) von Vethacke.

Witness was duly sworn.

(Signed) Felgner.

(Signed) Becker.

ANNEX D-45

COURT OF THE MOBILE RELAY KOMMANDANTUR No. 1 OF THE SEVENTH ARMY CORPS.

Péronne, December 29, 1914.

Present: Military Court Councillor Elké.
Military Court Secretary Casser.

Otto Rudolph, paymaster of the Railway Reserve Corps No. 11, at present in Péronne, appeared and, after being instructed in the meaning of the oath, testified as follows:

My name is Otto Rudolph, I am thirty-four years of age, a Lutheran, by occupation police-officer in Worms. The Railway Reserve Corps No. 11, to which I have been assigned as paymaster, entered Louvain on August 24th. My commander instructed me to prepare quarters for the officers and stable the horses of the company in the neighborhood of the station. First I addressed myself to the owners of the hotel in the square facing the railway station, especially the owner of the Hotel "Maria Theresia." Everywhere I was met in the most accommodating spirit. However, as all the rooms had already been engaged by officers of other troops I was unable to get the required rooms. I therefore endeavored to obtain quarters in the main street leading from the town hall directly to the station. I cannot just now recollect the name of that street. Here I obtained the required rooms, the landlords being ex-

tremely obliging. In No. 105 of this street I found quarters for three officers. In a house across the street, where a bank clerk lived, I was treated very courteously, too.

On this day, however, the quarters were not yet occupied because the company was all night busy at the depot constructing landing platforms.

The next day I requisitioned vegetables, straw, etc., in Linden and Kessel-Loo, a suburb of Louvain. The various farmers always complied with my requests in the most friendly manner. In the evening I returned from my forage. On the way, at the suburb Kessel-Loo, male civilians who had flocked together in a conspicuous manner intimated to me that the British had succeeded in an attempt to break through near Louvain. When I asked who had brought this news I was told that priests had reported it. I actually do recollect having seen three priests in Linden at the eastern end of the village towards seven P. M. They went through the streets one by one and made some communication to the people here and there. As I heard the thunder of guns not very far away I hurried to get back to the station in Louvain. I got there towards eight P. M. At about 9 P. M. I suddenly saw a rocket rise near the square facing the station. At the same moment I heard violent rifle firing. In order to find out about the shooting and get a better view I went to one of the "G" cars of the company train which was standing about 30 meters away from the depot square. From the open hatch of the "G" car I had an unbroken view across to the station square and the street connecting Louvain with Kessel-Loo. I plainly saw shots being fired at the train from the roof of the third house in the street opposite the station. Further I noticed shots being fired at the square from a window of the third floor of a hotel. Shots were also fired at the square in front of the station from a window of the Hotel Maria Theresia. The square and neighboring streets were crowded with our troops at the time of the shooting. The shots could only be meant for our troops. Our side replied to the fire. I myself aimed my rifle at a window on the third floor of the fifth house in the street running parallel with the train, from which a civilian, whom I could plainly see, had fired shots.

After we had been given the signal to cease firing I went to the square in front of the station; this may have been around 10.30 P. M. A general who was present there had instructed the field-gendarmes to search the various houses, from which shots had been fired, for arms and ammunition. Following my report of what I had seen, a search was likewise made of the third and fifth house of the street running parallel with the train. In both houses suspicious looking persons were discovered with rifles and ammunition to match. One of these persons, who was searched at the station, had cartridges in his pockets that fitted the rifles found.

Towards midnight a number of civilians were shot in the station square, among them six or seven priests. Suddenly a window opened on the second floor of the Maria Theresia Hotel, where on the previous day, while looking for quarters for the officers, I was accorded such courteous treatment. There I saw a man who repeatedly fired at the crowd of soldiers assembled in the station square. **Shots were likewise fired from the houses which were displaying white flags as an indication of the friendly sentiments of the inhabitants.**

The next day, August 26, towards noon, I went again to the station square. A considerable crowd of male and female citizens of Louvain was assembled there. Among the male persons, who were being held as hostages, I recognized the bank clerk who owned a house in the street leading to the square. I had a talk with him; **he told me that members of the Belgian "garde civique" had fired from his house as well as from the house No. 105 where I had intended to billet the officers.** Asked why he had allowed this, he replied that on August 25, towards 3 P. M., **members of the Belgian "garde civique" had appeared, compelling the occupation of the houses under penalty of death;** he remarked that the citizens of Louvain had not approved of the treacherous shooting, but, that the leaders of the "garde civique" had compelled them to suffer the shooting from the houses.

Towards 2 P. M., when some of the houses in the main street from Kessel-Loo, opposite the main depot, were set on fire, shots were coming also from the remaining houses in this street whose tenants had negotiated with me the day before in a seemingly friendly manner.

To my mind, in view of the above described personal observations, this treacherous assault was the result of a carefully planned plot.

Read, approved, signed.

(Signed) Rudolph.

Witness was then sworn.

(Signed) Elble, Military Court Councillor.

(Signed) Casser, Clerk of the Military Court.

ANNEX D-46

ARMY DEPARTMENT. MILITARY COMMISSION FOR THE
INVESTIGATION OF OFFENSES AGAINST THE LAWS
OF WAR.

Berlin, February 12, 1915.

Before Dr. Grasshof, Military Court Councillor at the Army Department, Berlin, and before Clerk Pahl appeared to-day, Captain of Horse

Karl Friedrich von Esmarch (permanent residence Estate Schoenheim, post-office Rinkenes, district of Apenrade; at the time wounded and in the Vereins-Lazarett, 30 Wilhelmstrasse, Berlin; civil occupation: land owner.)

Von Esmarch requests that his evidence be taken as to what he observed of the happenings at Louvain on August 25, 1914.

The solemnity of the oath was pointed out to him whereupon he declared:

My name is Karl Friedrich von Esmarch. I am forty years old and a Protestant.

On August 25, 1914, I came to Louvain as Commander of the headquarters of the ninth Reserve Army Corps. About six P. M., our railway train arrived at Louvain, where we unloaded the horses and the first echelon. We were to march to the barracks of the Belgian hussars, feed the horses and take quarters. When on the way from the station to the barracks the adjutant brought me orders to turn back because the alarm was being sounded, as our troops were engaged in a fight about ten kilometers outside the town. For that reason the horses and the first echelon were to go to the "Place du Peuple" in Louvain and were to be fed there, while the saddle-horses were to follow upon new orders. We rode to the indicated square and stationed ourselves there. Besides us a column of the commissariat was in the square which was, therefore, crowded with vehicles and horses on all four sides. Gradually darkness set in. Regiments of infantry marched past us, at the southwestern side of the square they took the direction of the town hall. Since I had only staffguards to protect the cars I requested one of the passing regiments of infantry to re-inforce me with a company, because I felt anxious about our safety for the following reasons: at first the streets were full of people, nay, even crowded; but towards evening all street traffic stopped suddenly, and the streets seemed deserted. It also struck me that in the houses everywhere the shutters were let down. I obtained the company, and stationed it at the northwestern side of the square. Then I rode to the opposite side of the square, the southeastern one where the Forage-superintendent had his place, my object being to hurry him up.

When I reached there I heard a church clock strike. I did not count the strokes; there may have been eight or nine. By that time it was quite dark. At the same moment I saw a green rocket rising above the houses, south west of the square. Shortly after, the rattle of musketry was heard from the direction south west of the square. After that first firing, a general fusillade started from all houses round the square; the shots were fired at the German troops in the square. They came from behind the closed shutters. One could plainly see the flash; holes must have been bored into the shutters beforehand. I then wanted

to gallop to the company in order to give my orders. As I could not ride through the mass of wagons I had to ride round them, that is, round the northeastern part of the square. In doing so I was shot off my horse, at the northeastern side of the square. I plainly heard the rattle of machine guns, and bullets whizzed about me in large numbers. I was badly hit by five shots. Besides I was grazed by quite a number of bullets; my whole "attila" was torn in rags. After falling off the horse I was run over by transport-wagons, the horses attached to them shying and bolting because of the fusillade, and I was dragged along to the corner of the square separating the northeastern from the northwestern side. Here I lay for about half an hour under a wagon. During that time I never lost my consciousness and took accurate notice of my surroundings. The bullets continued to pop round me on the sidewalks; I could plainly see the ricochetting of many keyholders. Besides I repeatedly heard, what seemed to be bigger projectiles, burst all around me. I thought it was artillery firing, but as there was no artillery present, the only explanation is that the inhabitants when they assailed us also threw hand-grenades from the houses into the square. Only some time after did our troops reply to the fire. The mutual firing lasted about half an hour, during which time I lay under the wagon. Its wheel-drag had caught in my belt so that I could not free myself alone. When the firing somewhat subsided, my orderly came up and freed me from my position. He took me to the northwestern side of the square where my company was stationed and placed me just inside the square, leaning my back against a cartwheel. From there I could notice all houses at the northwestern side of the square and besides the first houses on the two sides of the square which adjoined the northwestern side. I then made the following observations:

The company continued firing into the houses. The fire of the inhabitants gradually died down. Then the German soldiers smashed the doors of the houses in and set fire to them, flinging burning petroleum lamps into the houses or knocking off the gas jets and setting the escaping gas aflame, at the same time throwing covers and curtains into the flames; now and then benzine was also used for igniting purposes. Colonel von Stubenrauch, whose voice I heard, gave orders to set fire to the houses. When the smoke became too thick in the houses, the franc-tireurs left them and came down the front steps. Many of them still had arms in their hands; I plainly saw guns, revolvers, military rifles and other weapons. I was particularly struck with the large number of revolvers. The franc-tireurs were mostly people of very questionable appearance, such as I have never seen in my life. They were shot down by the German sentries standing below. All the time our men were most careful to spare women and children, who were allowed to leave the burning houses unhurt. I did not see a single case where

a woman or child was hurt. Part of the women and children even gathered round us in the square where the German soldiers treated them very well. Near me a women was standing with a baby in a perambulator. The soldiers who stood about tried to comfort the crying woman.

For about half an hour I observed the scenes of houses being set afire and franc-tireurs being caught. Then my orderly brought up an automobile. Together with other wounded men I was conveyed to a hospital which we only reached after driving about for a long time. It was a Belgian military hospital. I then thought that it was a monastery because many monks were in it. I reached the place about midnight on August 25, 1914. On the morning of the following day I was taken away again in an auto to Louvain railway station in order to be conveyed to Liège.

Read, approved, signed.

(Signed) Karl Friedrich von Esmarch.

Witness sworn.

Done as above.

(Signed) Grasshoff.

(Signed) Pahl.

ANNEX D-48

Allemant, France, December 18, 1914.

Present: Military Court Councillor Dr. Czarnikow.

Military Court Secretary Thiele, as Clerk of the Court.

Lieutenant Brandt of Infantry Regiment No. 52 appeared, and, after being instructed in the meaning of the oath testified as follows:

My name is Kurt Brandt, I am thirty-two years old, a Protestant, Manager of J. Schmidt, printers in Mark-Neukirchen, Saxony. I can only repeat what I have stated in a report made to my regiment on September 27.

The report in question then was read to witness, whereupon he declared:

This report is the one I just spoke about. I repeat its contents. The letter mentioned in it of the Belgian Government and the lists found containing the names of the members of the Garde Civique I forwarded to the regiment the following day. Lieutenant Dunkel of the reserve will be able to substantiate the correctness of my statements. He was also in Louvain at that time in charge of a squad of the army telegraph corps.

Field-Gendarmes handed over to me during the firing about five civilians who wore no distinctive emblems. The gendarmes reported

that they had caught the men with weapons in hand and they also brought the weapons along. I did not examine the prisoners but had them delivered to the "Kommandantur."

The owner of the hotel I mentioned, who came out of the hotel the following morning when it had been all burnt down, I delivered to the General Staff officer of the 9th Reserve Army Corps, a captain whose name I do not know. He was the same officer who had given me orders to destroy the two hotels. The civilian was examined by the officer and shot about half an hour later. At the same time **two priests were also shot**; when I saw them they were already under arrest. An orderly officer of the General Command informed me that he had distributed ammunition among the civilians.

Major Hildebrand who is mentioned in my report had expressly explained to me that he and his men had been fired upon mainly from the buildings opposite the station.

Read, approved, signed.

(Signed) Kurt Brandt.

Witness duly sworn.

(Signed) Czarnikow.

(Signed) Thiele.

REPORT TO INFANTRY REGIMENT NO. 52.

Sender: Kurt Brandt, Lieutenant of the Reserves.

Mailed from woods near Fort Condé.

Date: September 27—4 P. M.

On August 24 I arrived at Louvain with a squad of Company 11 of Infantry Regiment No. 52, to protect our Army Telegraph Corps, and took up quarters in the court building. The inhabitants were exceptionally friendly towards us. Throughout the following day troop transports of the 9th Army Reserve Corps arrived which were despatched in the direction of Antwerp as a sortie had been reported from there. Only one company and my squad remained with the baggage. This fact, and the thunder of guns plainly audible in the town, seems to have made the moment appear favorable to the inhabitants to execute the assault on our troops which was evidently premeditated and well prepared. **Towards 9 P. M. a heavy fire was opened on our soldiers from the houses, especially in the direction of the freshly arriving trains.** One of the sufferers was our old regimental comrade, Major Hildebrand, in charge of a battalion of the 31st Infantry Reserves which had just alighted from one of the trains.

The fire was opened all over the town as a complete surprise and so simultaneously that surely preparations must have been made for it. To my mind it must have been the work of the Belgian "garde civique."

This seems to be confirmed by a communication of the Belgian Government which I had seized on August 23 at the office of the Mayor of Winghe-St. Georges, which stated that the "garde civique" was to be mobilized. The distinctive emblems mentioned in the communication (band and cockade) could not be found; the reason given was that they were to be distributed from Louvain, the district to which the above mentioned place belonged. Members' lists of the last three years were found, but no arrests could be made, because, as the mayor said, almost the entire population had fled; I suspect, however, that the male inhabitants had been "called in" to Louvain where these "troops" were to assemble. During the course of the evening troops were withdrawn to the town and towards twelve o'clock the firing ceased at last. Upon orders by the general staff of the 9th Reserve Army Corps I joined the other troops at the station where I received orders to proceed with the squad and destroy and set on fire two hotels from which heavy firing had come during the whole time and from which the tenants had to be driven out. It seems that the main culprits had managed to make their escape in time across the roofs of the adjoining buildings, for only the owner of one of the hotels emerged towards 5 A. M. on the following morning. He very soon after got his just deserts, likewise two priests who had distributed ammunition among the civilians. The next forenoon we continued on our march towards Brussels, and again, while en route to that city, we were exposed to violent firing from various houses of the town.

On the same day (September 23) I telegraphed to the town commander of Louvain about my discoveries in regard to the "garde civique" so that counter measures might be taken; I do not know any details about the result. At any rate, I as well as all others who went through the assault are firmly convinced that the whole matter was a coup which had been pre-arranged by the authorities.

(Signed) Kurt Brandt,
Reserve Lieutenant of Company 9 of Infantry Regiment No. 52.

Plan der Stadt Löwen.

Die zerstörten Häuser sind durch Schwarzdruck gekennzeichnet.

Map
of the City of Louvain.

The houses destroyed
are shown in heavy black.

